

**PROP 98 EMINENT DOMAIN. LIMITS ON GOVERNMENT AUTHORITY. INITIATIVE CONSTITUTIONAL AMENDMENT.**

★ **ARGUMENT IN FAVOR OF PROPOSITION 98** ★

Proposition 98 is clear, simple, and straightforward, with only one purpose: to protect our homes, farmland, and small businesses . . . all private property.

Proposition 98 does this by:

1. Making it illegal for government to seize homes, small businesses, family farms, and places of worship and transfer them to private parties for their private use and profit.
2. Making it illegal to force the sale or rental of private homes, apartments, or other residences at below market prices.

This is all there is to Proposition 98, nothing tricky, nothing hidden. Read the Proposition 98 text carefully and you'll find it has the purpose of saving our homes, farms, small businesses, and places of worship from being seized from their owners for the benefit and profit of private developers.

**WHY IS PROPOSITION 98 NEEDED?**

First, because state and local governments are seizing private homes, apartments, small businesses, family farms, and places of worship for the benefit of politically well-connected developers. These seizures enable tax collectors to get around Proposition 13's limitations on property taxes, allowing them to reap huge property tax increases on the seized property.

Second, developers make huge profits when they develop seized land. The politicians can help friends and financial supporters make big profits by seizing other peoples' property.

Third, California is losing open space, farmland, and orchards at a distressing rate. Proposition 98 will prevent the seizure of these lands for developers who would otherwise cement over farmland and forever convert farms to tract homes and shopping malls.

Fourth, government has many fair and legitimate ways to help the elderly, poor, disabled, veterans, students, and others with their rent and other housing needs. Government can provide rental assistance and housing programs. Government can buy or build residential housing and provide it to the needy at low cost or even no cost. But government should not force a private property owner alone to bear the entire cost

of renting his or her home or apartment at less than the fair rental value. Forty-five of the other 49 states provide this basic protection. We are long overdue in protecting our property owners.

**WHAT PROPOSITION 98 WILL NOT DO**

Proposition 98 will never cause renters who now have their rents limited to lose their current rent control.

Proposition 98 DOES NOT affect the acquisition of property needed for legitimate public purposes. Property for the public good, such as schools, fire stations, highways, police stations, water projects, flood control, emergency services, parks, and environmental conservation, can still be acquired by eminent domain.

**SUMMARY—ONLY 98 PROTECTS ALL PRIVATE PROPERTY**

Currently, tax hungry governments get around Proposition 13, dramatically increasing property taxes by seizing homes, small businesses, apartments, family farms, and places of worship.

Also, by seizing private property, politicians can help their financial contributors get the property and profits those developers want.

Proposition 98 is the only measure on the ballot that restores private property protections for all Californians—everyone.

Visit [YesProp98.com](http://YesProp98.com).

Vote Yes on Proposition 98.

**JON COUPAL**, President

Howard Jarvis Taxpayers Association,  
Protect Prop. 13 Committee

**DOUG MOSEBAR**, President

California Farm Bureau

**STEVE L. CAUGHRAN**, 2007 California Small Business Owner of the Year, National Federation of Independent Business

★ **REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 98** ★

According to Secretary of State records, apartment and mobilehome park landlords paid MILLIONS to get this proposition on the ballot.

These landlords are trying the oldest political trick in the book—THE BAIT AND SWITCH. They want you to believe 98 is about eminent domain, but what they really want is to eliminate the most basic protections renters have against unfair landlords.

Here are some facts:

- Prop. 98 **ELIMINATES RENT CONTROL**. Landlords could raise rents as high as they want. Prop. 98 allows rents that are well above fair—it sanctions rent gouging where rentals are in short supply.

- 98 **WIPES OUT BASIC PROTECTIONS FOR ALL RENTERS**, including laws requiring fair return of rental deposits and laws protecting renters against unfair evictions.

- 98 **IS BAD FOR TAXPAYERS**. In their own arguments above, the landlords admit that rent control laws “help the elderly, poor, disabled, veterans, students, and others.” But they argue, instead, that taxpayers should pay for more subsidized housing and rental assistance.

Boiled down, the landlords want to pass 98 so they can raise rents as high as they want. And they want us, taxpayers, to pay for it.

• 98's **EMINENT DOMAIN PROVISIONS ARE DEEPLY FLAWED**.

Prop. 98's supposed eminent domain provisions are so poorly drafted that they will lead to frivolous lawsuits, more bureaucracy and red tape, and actually hurt homeowners and all property owners.

Reject the landlords' attack on renters and our communities.

Vote NO on Prop. 98.

Visit [www.NoProp98.org](http://www.NoProp98.org).

**JEANNINE ENGLISH**, California State President

AARP

**DEAN PRESTON**, Co-Chair

Coalition to Protect California Renters

**KEN WILLIS**, President

League of California Homeowners

★ **ARGUMENT AGAINST PROPOSITION 98** ★

Proposition 98 is a DECEPTIVE SCHEME by wealthy landlords to abolish rent control and other renter protections. Their deeply flawed measure also contains hidden provisions that would harm the environment and our communities. **VOTE NO.**

Wealthy apartment and mobilehome park owners are spending millions on a deceptive campaign to pass Prop. 98. Ask yourself why?

They don't care about eminent domain. What these landlords really care about is eliminating rent control so they can raise rents and make millions.

Read the initiative yourself. You'll see Prop. 98:

- Eliminates rent control.
- Wipes out basic renter protections like requiring the fair return of rental deposits.
- Takes away protections requiring 60-day notice before forcing renters out of homes.

Prop. 98 would DEVASTATE MILLIONS OF RENTERS including veterans, seniors, and young families.

Prop. 98 is the worst kind of special interest proposition. It benefits a few wealthy landlords at the expense of millions protected by rent control and other laws that ensure renters are treated fairly.

• *"I'm a retiree and a veteran, and I've lived in my studio apartment for 30 years. Rent control is the only way I can afford a roof over my head. If 98 passes, hundreds of thousands of seniors could face skyrocketing rents."*

—Robert C. Potter, 80, U.S. Army Veteran, San Francisco

• *"I'm a retired widow on a fixed income. Prop. 98 would financially devastate many seniors like me who depend on rent control and other laws that protect us against unfair landlords. Vote NO on Prop. 98."*

—Helen J. Furber, 85, retired, Calistoga

The problems with 98 go far beyond ending rent control. HIDDEN PROVISIONS ALSO JEOPARDIZE ENVIRONMENTAL PROTECTIONS.

In the fine print of 98 are provisions that could prohibit important laws that protect the environment and ensure responsible growth.

• *"Prop. 98 goes beyond canceling rent control. It would gut important laws that protect our air, land, water, coasts and wildlife, and laws we need to combat global warming."*

—Jim Lyon, Vice President for Conservation, National Wildlife Federation

Prop. 98's hidden provisions THREATEN OUR SUPPLY OF SAFE, CLEAN DRINKING WATER and our ability to protect the public's safety. The measure also cripples our ability to create communities that are "livable" for those who are aging—with housing options, ways of getting around, and access to services that promote independence.

• *"Prop. 98 would jeopardize our ability to protect the quality of our drinking water and to secure new sources of water to prevent water shortages."*

—Tim Quinn, Executive Director, Association of California Water Agencies

• *"In addition to abolishing rent control, Prop. 98 contains hidden provisions that prevent law enforcement officials from dealing with slum-like conditions that contribute to crime."*

—Richard Word, President, California Police Chiefs Association

Don't let the wealthy landlords get away with their scheme to abolish rent control and eliminate protections for our environment and our communities. Join senior, homeowner, conservation, public safety, and renters' rights organizations in voting NO ON PROP. 98.

**JEANNINE ENGLISH**, California State President  
AARP

**JANIS R. HIROHAMA**, President  
League of Women Voters of California

**RICHARD WORD**, President  
California Police Chiefs Association

★ **REBUTTAL TO ARGUMENT AGAINST PROPOSITION 98** ★

The opponents fail to even mention Proposition 98 protects homes, rental units, family farms, small businesses, and places of worship from being seized and bulldozed by politicians and developers to be converted to commercial developments for their private profit!

**NO WONDER THEY DON'T MENTION THESE VITAL PROTECTIONS!**—The opponents ARE the politicians and developers who are seizing the private property they want, to increase taxes and make huge development profits!

The opponents talk about wealthy landlords being the big Proposition 98 supporters. Nonsense! It is the individual homeowners whose voluntary donations sustain the Howard Jarvis Taxpayers Association's efforts to protect Proposition 13 and our homes who are the biggest contributors to Proposition 98.

And the biggest opponents of 98? The politicians and their big developer buddies!

Shame on the opponents for convincing 80-year-old veteran Robert and 85-year-old widow Helen to suggest

Proposition 98 would end the rent controls Robert and Helen depend upon. The truth: Proposition 98, Section 6, specifically provides that rent controls for everyone now covered by rent controls can remain fully in effect for an unlimited period of time. Read Proposition 98, Section 6 in this Voter Guide, and you will see that Robert and Helen and everyone now covered by rent controls are fully protected.

The greater risk for Robert, Helen, and thousands of others losing their rent controlled homes is if the opponents of Proposition 98 are allowed to seize and bulldoze them and replace rent controlled homes with strip malls.

**CRUZ BACA SEMBELLO**, Victim of Government Home Taking  
City of Baldwin Park

**JOHN REVELLI**, Victim of Government Business Taking  
City of Oakland

**JOEL AYALA**, President  
California Hispanic Chambers of Commerce