



“Opponents Cite Three “False and Misleading” Statements, Ask Court to Strike

Opponents of Proposition 21 today filed suit today in Sacramento Superior Court seeking to strike and revise three different “false and misleading statements” made by the Yes on 21 campaign in its ballot statement.

The suit, filed by Los Angeles Realtor Malcolm Bennett against Secretary of State Alex Padilla and the signers of the ballot and rebuttal arguments, notes that State law expressly requires that the statements made in such arguments not be false or misleading. The Yes on 21 campaign’s signers are violating that law, argues the lawsuit, with information that has no foundation in fact.

The suit focuses on three false claims made by the Yes on 21 campaign and seeks to correct those statements in the official ballot arguments. Specifically, the Yes campaign falsely claims the measure “protects single family home owners” from new rent caps, when in fact millions of single family homes would be impacted by the proposal. The arguments also falsely claim Proposition 21 “encourages the construction of new homes,” when in fact affordable housing builders say the measure would make it even harder to construct the new affordable housing California needs.

“When California voters overwhelmingly rejected a similar version of this measure two years ago, they did so because they knew it would hurt the construction of affordable housing California desperately needs, lower property values for millions of single-family homeowners, and result in massive cuts in local and state budgets,” said Bennett. “Their ballot arguments, designed to confuse voters, are simply false. We are confident the Court will make this right so voters have accurate information about the devastating impact of this initiative on California families.”

The lawsuit seeks to revise and/or remove the following statements in the argument and rebuttal (in bold).

Proposition 21 “protects single-family homeowners”

Rather than “protect” homeowners, opponents say the measure, by referring to owners as “a natural person,” would make millions of the state’s single-family homes subject to Prop 21’s provisions because they are held in trusts. “These arguments seek to give the false and misleading impression that only large corporate landlords will be impacted by the measure,” says the lawsuit, when instead nearly one-third of the state’s single-family homeowners would be impacted by new restrictions that will devalue their property.

Proposition 21 “encourages the construction of new homes”

It is well-known that rent control laws have the opposite effect, a fact that has been recognized in findings by the Legislature, by the courts, and including a recent study by the nonpartisan California Legislative Analyst’s Office (LAO). The suit also notes Prop 21 repeals provisions of the state law that guarantee that any newly-constructed rental housing is exempt from local rent control in perpetuity.

Proposition 21 “provides reasonable and predictable rent increases”

Opponents say this is untrue because the measure “does not affirmatively or directly impose any limits on rent increases whatsoever.” In addition, the enactment of the initiative itself would not do that; it would be up to local communities.

Bennett has been a real estate broker and owner since 1975. He twice served as President of the Southwest Los Angeles Board of REALTORS, the only African American Board of REALTORS in the city. In his commitment to the housing industry, he founded the Minority Apartment Owners Association in 1987 and has led the organization’s efforts to provide knowledge, training and legislative involvement for its members.

A decision by the court must be made by August 10th.”

Sources: <https://noonprop21.vote/sued/>