**Anti-Tenancy as Anti-Environmentalism: Sustainability, Equity, and the Second-Class Status of Tenants**

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We propose to discuss the topic of "Sustainability, Equity, and the Second-Class Status of Tenants." This topic lies at the intersection of land use, housing access, and structural discrimination. The built environment is intimately connected to issues of sustainable development. As we confront housing shortages throughout the country, developers and municipalities are debating how much multi-family housing to build, and where to build it. But there are a number of hidden, unacknowledged implications for those who will live in this multi-family housing, especially if it is constructed as apartments instead of condos.

Our presentation will discuss how a variety of laws and policies across numerous doctrinal areas utilize land tenure status—whether someone is a homeowner or renter—as a determinant of legal rights, resulting in outcomes in which homeowners are treated more favorably (or less unfavorably) than similarly situated residential tenants. For example, disaster aid is disproportionately made available to homeowners, not tenants; notice of proposed zoning changes that can significantly alter neighborhoods is typically only provided to owners, not tenants; crime-free housing ordinances impose heightened surveillance on tenants but not homeowners; and in eminent domain proceedings, compensation is regularly awarded to owners but only rarely to tenants. While some of these disparities have received limited attention within their particular doctrinal context, the cumulative, systemic effects of anti-tenancy in the law—including the race-based origins and racialized impacts—have gone largely unexamined. This presentation unpacks how the systematic effects of the second-class status of tenants operates to deepen the affordable housing crisis, threaten community resiliency in the face of climate change, and exacerbate structural inequities along longstanding fault lines of race and class.