

Elated? Disappointed? Now What? **by Kathy Lautz**

Whew! I'll bet we're all glad that's over! The election, I mean. Did we get a lot of what we wanted? Probably. Did we get everything we wanted? Probably not. We've had a bruising, brutal campaign season, from the highest national level, down to our local school boards, city councils and state, county and city measures. When we're totaling up our gains and losses, I advocate that we remember one more crucial step in our beloved democratic process.

That step is that we must get back to getting along. We all have to play in the same playground. Have you heard about the book titled "All I Really Need to Know I Learned In Kindergarten" by Robert Fulghum? These are some of the things he learned:

Play fair.
Don't hit people.
Put things back where you found them.
Clean up your own mess.
Don't take things that aren't yours.
Say you're sorry when you hurt somebody.
Live a balanced life – learn some and think some and draw and paint and sing and dance and play and work every day some.
Take a nap every afternoon.
When you go out into the world watch out for traffic, hold hands, and stick together."

Pretty easy to see how applying these simple kindergarten rules to our public and civic life together might make things a bit more pleasant. After all, if kicking sand in the sandbox is bad behavior, then kicking sand in the political is probably not so productive either.

We're trying to export our democratic ideals to other countries. As a civilized and democratic society, we now should set the example of how good a democracy can be after the election. All that energy we were using for politics, now let's get the same energy going to make our country an even more wonderful place to live. (Now if we could just get them to pass a law mandating a 20 minute nap every afternoon...!)

Elsewhere in this issue you can read a more detailed analysis of how the election results affect rental property owners. One I wish to comment on is Proposition 64, which limits "unfair business" lawsuits only if there is actual loss suffered. This Proposition passed 58.8% to 41.2%. It is good for property owners because it should put a stop to the frivolous Prop. 65 product warning lawsuits that have plagued rental property owners and other small businesses.

In Oakland, Measure Y passed by a margin of 70% to 30%. This Measure is a parcel tax and public parking lot tax, the proceeds of which will pay for violence prevention community services, more police officers, and more fire fighting capacity. While the measure was heavily supported by the powers that be in Oakland, opposition to the measure came from a surprising coalition of property owners and tenants rights activists, objecting to either more special taxes on property (including a tax on each rental unit) or to the fact that the measure allowed landlords to pass through the special property tax onto their tenants. The measure passed handily probably because the crime situation in Oakland has gone beyond terrible, and the greater community was persuaded that a tax estimated to total about \$20 million per year was needed to tackle the problem.

There is relatively good news for property owners in Berkeley. Thanks to rental property owners actively campaigning against several City of Berkeley measure, four out of five tax increase measures were defeated. Among these were a utility tax increase, a real property transfer tax increase, and a per square foot tax increase.

Alameda County did pass a parcel tax increase for a transit special district.

On the lead (the heavy metal) front, we were pleased to be able to moderate a session at the latest EPA Tri-Region conference on lead poisoning prevention. We had a session about innovative and effective educational outreach programs. We took the opportunity to present the interests of property owners, since most of the lead based paint poisonings occur in rented properties, and yet rental property owners are rarely at the discussion table. Lead poisoning is

easily preventable if a property owner follows a few simple steps when painting in an older property. We can help prevent this childhood tragedy from happening if we just pay a little attention.

The conference was largely populated by people who work for various government agencies. These people are all very smart, and care a great deal about eliminating childhood lead poisoning. The problem is that they like to preach to themselves; they are the choir. They can come up with ever more elaborate sermons to themselves. But the people that need to actually take the steps to prevent poisoning never hear the sermons. To make matters worse, the people who work for the government agencies want to make their programs very thorough, because they want to keep their jobs. But "thorough" often translates into "overly complicated" out in your real world of property ownership.

We also reminded the group that people respond better to carrots rather than sticks. I suggested that any program always start with a carrot. I can much better guarantee good compliance if this procedure is followed in any lead poisoning prevention program. On your side, though, please be very aware that if you own a building built before 1978, when lead was finally totally banned in interior paint, you should keep up all painted surfaces (containment), and use a few easy, safe work practices when you decide to do any painting. Even if there are no young children living in the property, lead can adversely affect adults in many ways too. Be prudent; be lead safe.

While we are in the thick of the fast and busy Holiday season, we, the staff at the Apartment Owners Association would like to extend our best wishes to you, our members and readers. We certainly are thankful for you, and we hope that you benefit greatly from the information and suppliers that you find in these pages. We wish you, your loved ones, and yes, your tenants, a happy holiday season that you will long remember with pleasure. We look forward to serving you in the future.