

Common Law S4 Ep. 6: Andrew Hayashi Transcript

[THEME MUSIC IN, THEN UNDER]

Risa Goluboff: Today on Common Law, property taxes and social justice with UVA law professor Andrew Hayashi.

Andrew Hayashi: To find that the largest benefits of the property tax caps go to neighborhoods that are 91% white, the size of the tax savings is over \$28,000 per household — those are big numbers.

[THEME MUSIC UP, THEN UNDER AND OUT]

Risa Goluboff: Welcome to Common Law, a podcast from the University of Virginia School of Law. I'm Risa Goluboff, the Dean. Today, my co-host is my colleague UVA law professor Cathy Hwang. Cathy is an expert in business law, including mergers and acquisitions, corporate contracts and corporate governance. She's also a former mergers and acquisitions attorney at Skadden in New York. Welcome back to the show, Cathy.

Cathy Hwang: Thanks Risa. I'm excited to be co-hosting again.

Risa Goluboff: Me too. So why don't you tell us who our guest is today and why you chose him.

Cathy Hwang: Sure. Our guest today is UVA Law professor Andrew Hayashi. Andrew is an expert in tax law and the director of our Virginia Center for Tax Law. He is also my favorite person to park next to in the law school parking lot.

Risa Goluboff: Why is that Cathy?

Cathy Hwang: So I decided that he seems careful because he's a tax person and, you know, tax people have to be careful.

[laughing]

Cathy Hwang: He's also Canadian, so I think if he dings me, he would have to tell me, so that seems right.

Risa Goluboff: So he is both careful and kind, I think is what you're saying.

Cathy Hwang: Exactly. And not only is he careful and kind, but he also has this great paper that I just love. It's called "Dynamic Property Taxes and Racial Gentrification." And as in many of his papers, he really brings the consequences of tax policy to life and shows readers the unexpected impacts that tax policy can have.

Risa Goluboff: Excellent. I am really excited for this conversation. We will be right back with UVA law professor Andrew Hayashi.

[THEME MUSIC IN AND UNDER]

Risa Goluboff: Andrew, welcome to Common Law.

Andrew Hayashi: Thank you for having me. I'm looking forward to it

Cathy Hwang: Andrew, thank you so much for being on the show. Before we dive into the details of the paper, I thought we could talk a little bit about how you became interested in property taxes, because you have several papers in this field. And more broadly, it really seems like a theme of your work is how tax policy can better serve social good, so what's driving that?

Andrew Hayashi: I'm trained as an economist, as well as a lawyer and I'm particularly interested in how people respond to taxes, sort of their psychological responses to different kinds of taxes, which are often different than what, you know, sort of purely hyper-rational, you know, tax robot, how they might respond to taxes. I'm interested in the quirks of individual psychology and how they think about taxes. Although it doesn't get a lot of attention on the national level, people care a lot about their property taxes. Many people own homes, they're politically very sensitive taxes. The property tax collects more revenue than the corporate income tax, for example, which is much more, um, gets a lot more attention. And there's also a long history of property taxes – because they have so much influence on housing policy, they're deeply connected to issues of social justice.

Risa Goluboff: So I understand that your paper was inspired by another study called "The Assessment Gap: Racial Inequalities in Property

Taxation,” which was written by Carlos Avenancio-León from Indiana University and Troup Howard from the University of California, Berkeley.

Andrew Hayashi: That’s right.

Risa Goluboff: Can you tell us a little bit about that study?

Andrew Hayashi: Really a very impressive study, a national study finding that you could have two homes worth the exact same amount, but homes in Black-owned neighborhoods were over-taxed relative to homes in white-owned neighborhoods. And their explanation for this is that county assessors were just doing a bad job of valuing properties. Because of the methodology they were using, they were over assessing Black-owned homes and under assessing white-owned homes. And it made me think about a paper I'd written six years earlier in New York City, in which I found a feature of local property tax law was systematically reducing property tax rates in gentrifying neighborhoods. Gentrifying, meaning that they were being filled up with new arrivals who tended to be higher income and white. And I thought, you know, this is maybe a part of the story here too. Maybe this is part of the explanation for why we're observing Black-owned homes having higher taxes than white-owned homes. So that was the original genesis for the project.

Cathy Hwang: It seems counterintuitive, right? So we've all seen like the news reports – people who are selling their houses putting up pictures of white families so that their house can appraise at a higher value. And what you're saying is there's a feature of tax law that does the opposite of this.

Andrew Hayashi: Yeah, that's right. So what you're, I think, referring to is if you're trying to sell your home or refinance it, an appraiser will come in and the concern is that if they know it's Black-owned, they'll tend to undervalue the property. Here what's happening is that the assessor who's tasked with the same job of valuing the property is coming up with an over-assessment, and so there's a bit of a puzzle there. And I think there are two explanations. I think both Professors Howard and Avenancio-León have part of the explanation, and then I think what I point to in the paper about these features of local property tax law that are built in are also driving it.

Risa Goluboff: Andrew Kahrl at UVA has written a lot about that history too, right?

Andrew Hayashi: I was just going to say, yeah, Andrew Kahrl's a historian here who's written about that.

Risa Goluboff: Andrew Kahrl would also say there's, you know, explicit bias and discrimination, right? That property taxes are one of the few — because they're so opaque, because they're so complex, because they're so subjective — they were a place where local white assessors and local white officials were able to continue to exercise racial discrimination and bias in ways that remained fairly hidden, but that have had huge effects on Black wealth and property ownership, right? Because what ends up happening is taxes get higher and higher, and then you get more defaults on property and loss of Black land ownership too.

Andrew Hayashi: Yeah. So I think that's certainly the historical story for what had been the justified objection to the property tax administration is that there has been this explicit bias that's entered into it. My sense is the appraisal process, the way assessors do things now in general is much more professionalized. You know, there's a lot of variation. I've done a lot of my work in big cities like New York City and Chicago, where I would say there's less scope for that kind of animus or explicit discrimination to come in, which in some sense is — doesn't necessarily make it any better, right, because at the end of the day, you're still seeing these higher tax rates on Black-owned properties. It's just the puzzle is a little bit different. It's no longer a matter of, I think, animus, there's something else going on.

Risa Goluboff: Right, so it's more structural now, it's more systematic and it's about the rules that are in place, the rules that you talk about in your paper. So tell us about those. How do those work?

Andrew Hayashi: Yeah, so a lot of places have limits on the rate at which your assessed value can increase. So what that means is maybe the value of your home has doubled over the prior year to take an extreme example, say from \$200,000 to \$400,000, but your assessed value, which is the value on which your taxes are based can only increase, at a certain limit. So maybe your assessed value can only go up from \$200,000 to \$250,000. So if you live in one of these neighborhoods where property values are skyrocketing — not only, but often gentrifying neighborhoods — then you have a \$400,000 home that's assessed as if it were \$250,000. And so you're taxed as if you had a \$250,000 home. And so the question is, well, how do these caps on

assessments interact with the dynamics of neighborhood gentrification and could that interaction result in this pattern we observe when Black-owned homes are overtaxed relative to white-owned homes. And so the paper is sort of exploring how that can be.

Cathy Hwang: So tell us a little bit more about how that dynamic property tax shakes out, like what's the disparate impact there?

Andrew Hayashi: In general, property values in predominantly white neighborhoods are higher than they are in predominantly Black and other racial and ethnic minority neighborhoods. This is well-documented and that's true trying to control for other sort of dissimilarities between those two neighborhoods. So what that means is is that as the neighborhood is becoming whiter and property values are increasing, if that neighborhood is gentrifying quickly, if the demographics are changing quickly, property values are rising very quickly, but assessed values are not rising as quickly, which drives down the effective tax rate on those homes.

Risa Goluboff: So are you saying that it's essentially a subsidy for gentrification, these caps on tax rates?

Andrew Hayashi: See, you probably would have written this paper in two days because you already see the ...

[laughing]

Risa Goluboff: I only see it because you laid it out for me, Andrew, you've laid it out so beautifully.

[laughing]

Andrew Hayashi: You saw the answer and that's, that's, that's exactly right. And it's a little bit surprising, I think, to folks when I talk about this, because these caps are sometimes viewed as a way of stabilizing neighborhoods, allowing people to stay in their homes if they're on a fixed income, but their property values are, are increasing quickly. And my study suggests there's another, another aspect to this, that in some ways they can actually be subsidizing the gentrification process.

Cathy Hwang: So one thing you mentioned earlier, Andrew, is that you kind of are interested in the, like, psychological impact of taxation.

Andrew Hayashi: Mm-hmm.

Cathy Hwang: Is there a way for us to understand, like, how much the cap is driving home-buying decisions? So, if I'm choosing between a gentrifying neighborhood or a gentrified neighborhood, how much is property tax weighing into my decision as a consumer?

Andrew Hayashi: That's a great question. And, and whether the sort of local property taxes are reflected in how much people are willing to pay is something that economists even, you know, including the ones who don't care at all about psychology are, are very interested in. Property taxes are to some degree reflected in how much people are willing to pay in a neighborhood. There are all kinds of property tax incentives that cities and counties adopt. In New York City for a long time, they had a property tax exemption for certain condos and co-ops and, and the evidence there is that people do see that as a benefit, they're willing to pay more for a property if they know that their property taxes are going to be lower. Now there is a psychological aspect to this because, you know, you might think, well, you know, there's a lot going on when you're buying a home and you may not be able to sort of pay attention to all the different costs and benefits. And so it's not like the tax benefits are reflected sort of one for one in the purchase price, but there definitely is an effect. Yeah.

Cathy Hwang: How much money are we talking about here? So if I bought a \$400,000 house that had a \$400,000 assessment versus a \$250,000 assessment, how many dollars and cents are we talking about?

Andrew Hayashi: So a good rule of thumb in thinking about the property tax rate nationally is about 1% of your assessed value. So if your cap is saving you a hundred thousand dollars off of your assessment, that's saving you a thousand dollars in taxes.

Risa Goluboff: A year?

Andrew Hayashi: Per year.

Risa Goluboff: Right.

Andrew Hayashi: In rapidly gentrifying neighborhoods, the difference between your market value and your assessed value can be enormous.

So in New York City, there are places, neighborhoods where people were saving more than \$28,000 per year on property taxes. New York City is a particular, you know, very high-end kind of market. But maybe these are exactly the kinds of markets where we're most worried about gentrification.

Risa Goluboff: So Andrew in the paper, you talk about the difference between caps and phase-ins and that there are different repercussions for those and the phase-ins are a little bit better is my understanding from the paper. Is that right?

Andrew Hayashi: Yeah. The way a phase-in works is, for example, in Maryland, homes are reassessed every three years. So say your property value has gone up by \$90,000 since it was last reassessed. Your assessment won't jump by \$90,000 this year. It'll jump by \$30,000 this year, \$60,000, the next year and \$90,000 in year three. The increase in value is phased in over three years. What that means is that your assessed value catches up to your market value within a fixed amount of time, within three years. So those discrepancies between assessments across equally valued properties can disappear in at least, you know, by the next assessment cycle. In places like California and New York City that have caps year on year, if that cap is lower than the growth rate in the property value, you're just never going to catch up. And that difference can explode over time. So I don't like caps. I don't particularly love phase-ins but I, I think the problems they create are less persistent. That's the important difference, I think.

Cathy Hwang: So maybe switching gears, but I recently moved to Charlottesville from a much less racially diverse location. And I noticed two things about Charlottesville. One is that as a person of color, I saw more people of color in one day in Charlottesville than I had in the previous year, which was – it made me feel very welcome. So that's thing number one. Thing number two is that it's also much more segregated in a way that I hadn't, that I hadn't really observed in other cities except maybe Chicago. So kind of apart from Black homeowners being taxed more, your paper suggests that tax has continued to cement that kind of segregation. Can you tell us a little bit about that?

Andrew Hayashi: So in some places like New York City, Cathy, you own a home that's assessed at \$500,000, it's worth a million and you sell it to me, my assessment will also be \$500,000. I sort of step into your shoes. In a place like California, if your assessed value is \$500,000 and

it's worth a million and you sell it to me, my assessed value is going to be a million. So what does that mean? The property tax for that home is lower for you than it is for me. And by selling the home to me, you're going to have to buy another house where you're going to be assessed at fair market value, so your property taxes are going to go up. The effect of that is to discourage people from moving. It creates this effect called lock-in. And so in places like that, that lock-in effect entrenches patterns of home ownership that arose years ago for any variety of reasons, I mean, it could be the effects of red lining or some institutional factor, whatever – you had segregation. The lock-in effect created by these property tax caps, entrenches that, and sort of calcifies it over time and causes those patterns of segregation to persist even if now people would, all things considered, prefer to live in a more integrated neighborhood. So that's one way that these effects can just sort of cause the past to persist.

Cathy Hwang: Now that you've explained it, this idea that I could have had a house with a lower property tax, and if I have to buy a new house, I have to pay more property tax, like, that makes perfect sense to me, but not everybody has an Andrew Hayashi in their life to explain such things to them in a clear manner ...

Risa Goluboff: Those poor people.

[laughing]

Cathy Hwang: I know. Fun fact about me: I did quite a bit of housing law pro bono when I was an attorney in New York. And one thing I noticed is people would try to get — mostly elderly people actually — in rent-controlled apartments to move. And they would say, you know, you pay \$300 for your apartment. I'm going to give you \$10,000 to move. And to this elderly person who has never been on the rental market, looking for an apartment in Manhattan, they were like, well, that sounds good. Like I've always only paid \$300 and I don't really use the internet. So I don't really think about these things. So thank you for the 10 grand and off I go. And there's, there's a strong element of fraud there and definitely of taking advantage of people who don't have the means to have an Andrew Hayashi explaining. So do we worry about that in the property purchasing context as well?

Andrew Hayashi: You know, I think that sort of maybe just adds to the problem in a sense but it doesn't really change it when there's sort of

differences in bargaining power between a buyer and a seller, those are going to be reflected in the purchase price. And I don't think the property tax caps change that a whole lot.

Risa Goluboff: So what are the ultimate consequences Andrew, of the the regime that you've described in this paper? What are the takeaways? What's at stake here?

Andrew Hayashi: For me, this should be one more nail in the coffin of property tax caps. These caps introduce a lot of complexity, they're hard to understand. And because a lot of jurisdictions need to raise a particular amount of revenue, it's kind of zero sum. So when you give a tax cut to people in a gentrifying neighborhood and the county, the city needs to raise a certain amount of revenue, they just have to raise the tax rates on everybody to collect the revenue, which just means a shift in the tax burden from the people in a gentrifying neighborhood to everybody else.

Risa Goluboff: Just to clarify that, so given the way you're talking about this paper, it's a shift in tax burden from white people gentrifying, and the everybody else includes the Black homeowners in those neighborhoods being gentrified.

Andrew Hayashi: Yeah, that's right. I think I'd want to be careful in saying who actually benefits from the tax cap depends on this negotiation Cathy was talking about. So the white homebuyer is buying into a Black neighborhood. You know, if they, if the, if the seller is well-advised or understands how these caps work, they may be fully compensated for that cap benefit. And so even though it might look like the white homeowner has a lower tax rate, they've paid for it in the purchase price.

Risa Goluboff: Got it.

Andrew Hayashi: But in any event, there is this subsidy to gentrification and then it should be above board whether that's something we want. There should be an open discussion about whether this is a, this is something we want to encourage. There's just one other thing that I've been thinking about a lot and I don't know exactly how it fits into the conversation, but the way that tax law, income tax law, property tax law, sort of sits on top of our history, history of discrimination and racial hierarchy and so on, there's certain cases, I think, where you can look at

tax laws as aggravating some of those inequalities. For the most part, the fact that racism shows up in the marketplace isn't aggravated by tax laws. So what I mean by that is suppose that men, for example, earn higher wages than similarly qualified women or white workers earn higher wages than similarly qualified Black workers and they earn higher incomes, the tax system taxes that income, it doesn't ask why you're paid more than you are. So at least it doesn't sort of make things worse. But in certain cases like this gentrification process, where people's demographic preferences – I'm using a pretty anodyne term – but their, their views about their neighbors are driving property values and driving this process of gentrification, tax law is actually favoring, favoring that process. And so that really sticks out to me.

Risa Goluboff: Right. That's the key problem that you're identifying.

Andrew Hayashi: Yeah. Sometimes you see policies that seem to have pretty mundane motivations like these property tax caps, right? You never would have thought that they'd have this significant effect on the distribution of who pays property taxes. I think that study I mentioned I did in New York and the first time I generated those statistics, it really jumped out at me. To find that the largest benefits of the property tax caps go to neighborhoods that are 91% white, that have the highest adjusted gross incomes of any neighborhood in the city, the highest property values of anybody in the city and the size of the tax savings is over \$28,000 per household — those are big numbers. And some of those things really pop out to me. There are plenty of extreme examples of misvaluation. In New York City there's a whole sort of different issue they have with the valuation of condos and co-ops, but you find examples of individual condos that sell for more than the assessed value of the entire building. Those things, I think, should motivate really urgent action because so, in so many of these property tax contexts, it really is zero-sum. If somebody is paying less, everybody else is paying more.

Cathy Hwang: So one thing that we sometimes read about is that property taxes go up a lot for a house owned by a little old lady and the little old lady suddenly can't pay her, you know, property taxes and has to sell the house. Would getting rid of things like caps and phase-ins actually, you know, cause that negative effect instead where we have lots of sweet little old ladies who can't, you know, pay their property taxes and have to sell?

Andrew Hayashi: Yeah. I think every time I talk about this topic, somebody mentions the sweet little old lady.

[laughing]

Cathy Hwang: Yeah, you evil – evil Canadian!

[laughing]

Andrew Hayashi: So, what motivates these caps or at least the public justification, the archetype, is this senior citizen on a fixed income in a rapidly gentrifying neighborhood, earning sort of social security checks, and if we did not limit property taxes, her taxes would go up dramatically and she'd be forced – she or he – would be forced out of their home, and that's not something we want to do. I think the problem for that person on a fixed income isn't that they don't have the resources to pay the taxes. The problem is that they don't have the cash in hand. So everybody has to pay their property taxes in cash, even as their property is not cash, right? It's, it's real estate. And so it goes up in value, but you don't have, have cash to pay the taxes. But they are wealthier, right? If you're sitting on a \$3 million brownstone in Park Slope, you're rich. And it's not unreasonable to expect richer people to pay more in property taxes. So if liquidity is the problem, there are ways we can address that. So a number of places have property tax deferral options. So suppose I owe \$10,000 in property taxes this year, but I won't have to pay that tax until I sell the property or I die, at which point, I or my estate have the cash to help actually pay the property taxes. So I prefer that to caps because it doesn't have these effects we talked about in terms of subsidizing gentrification. It doesn't change the actual amount of tax you owe, it just changes when you pay it. And places that have done this have extended it only to senior citizens and to disabled persons generally, but I don't see any reason why that option couldn't be extended more broadly.

Risa Goluboff: Is that how you think we, we should respond to, to the racial gentrification issues that you're worried about in the paper?

Andrew Hayashi: I think if we just replaced caps with something like a deferral regime, then we wouldn't be subsidizing these gentrification processes to property taxes.

Risa Goluboff: Okay. So you take the caps away ...

Andrew Hayashi: Yeah.

Risa Goluboff:... which then creates that problem. But then you add in the deferral to address that problem.

Andrew Hayashi: That's right.

Risa Goluboff: Does the deferral have the, have an additional – is there a problem at every step, right? You have one solution and it creates a new problem. Does the deferral have the problem of kind of alienating land from people, right? So the only way you get the liquidity at the end is if you sell the property, right? So that means you can't keep the property in a family.

Andrew Hayashi: So what I can say about the deferral regimes is they haven't been super popular. And nobody – it's a little bit unclear why, I mean, I think part of it is it's a little bit complicated, people don't totally understand it, marketing hasn't been great. But it does have this feature that, you know, suppose I decide – I'm 65 years old. I'm going to take advantage of this option and not pay property taxes until I die. There's going to be a lien on my home when I die and a significant liability, and if my heirs don't pay off that property tax, the city is going to get the property. I mean, for me, there's no deep injustice there. But I think when that surprises people, that's a problem.

Risa Goluboff: There's an intergenerational consequence?

Andrew Hayashi: Yeah. You have to realize that, yes, I am not paying my property taxes. That's going to come out of the inheritance I would otherwise have left to my children. This may be one of these things that sounds really great in theory, and just psychologically people can't get their head around. In some ways it operates similar to a reverse mortgage, which also sounds pretty good in theory, but are unpopular in part, because I think people don't fully appreciate, or maybe regret later in life that they did it and don't have as much to leave to their children, but you can't have your cake and eat it too.

Cathy Hwang: This is classic Hallmark movie where someone has to go and, you know, snatch a family home from the clutches of a grieving family. It's very sad.

[laughing]

Cathy Hwang: Tax is very sad, Andrew.

[laughing]

Andrew Hayashi: If Hallmark made a movie about property taxes, I would watch it.

Cathy Hwang: You would watch it on a loop.

Andrew Hayashi: And I would – on a loop and I would show it to my class. It would be our holiday, it would be our holiday ritual.

[laughing]

Cathy Hwang: So other than the project that you're working on right now, like, what else is really exciting to you about tax law right now?

Andrew Hayashi: So I think what's most exciting is there are proposals on the table – now we're talking about federal income tax. People are entertaining ideas that they haven't for a very long time. I mean, I think used to be just taken for granted, right, that we had to wait until you sold your stock until we could tax you on it, right. Even though everybody recognized that was kind of a problem and that probably has disparate racial impacts on its own. Now there are proposals to step away from that and move to a regime where we're taxing people every year, based on changes in the value of their, their stock. That may seem like a kind of an in-the-weeds thing, but the stakes are really big.

Cathy Hwang: Right.

Andrew Hayashi: Discussions in the last five years about a wealth tax were just unimaginable, I think, 10 years ago. And so I think the Overton window is the term for this, the sort of set of feasible or, you know, kinds of possibilities that we're actively contemplating has just opened wide and I think that's really exciting. I think we're, we're able to ask questions about what's the limit of Congress's taxing power that we haven't thought about in a hundred years. And, you know, all of this is brought about by the urgency of income and wealth disparities and concerns about racial justice. So I think that makes this a really exciting time to be doing tax law policy.

Cathy Hwang: As is any time.

Andrew Hayashi: I mean, any time, any time is, I mean ...

[laughing]

Cathy Hwang: Andrew, thank you so much for hanging out with us. You've made tax extremely palatable and understandable, and dare I say even interesting.

Risa Goluboff: Thrilling.

Cathy Hwang: Exciting.

Andrew Hayashi: Well, I usually just aspire to palatable, so exciting tells me I exceeded expectations. Thank you. This was a lot of fun. I appreciate it.

Risa Goluboff: Thanks so much, Andrew.

Cathy Hwang: Thanks Andrew.

[THEME MUSIC IN, THEN UNDER AND OUT]

Cathy Hwang: I thought that was really fun. I will say that the big thing that really stuck out to me is: Man, I can really tell why there's a shortage of tax faculty members. It's just a very complicated area and your brain has to be like a pile of organized squiggles, I feel to really understand it.

Risa Goluboff: It's so true. I tell students all the time, you know, it's puzzles, right, figuring out puzzles and this very complicated system, and it's like a logic game, you got to get all the different pieces. And I feel like when I'm talking to Andrew about it, I'm with him, I'm with him, I'm with him and then I'm not.

[laughing]

Risa Goluboff: You know, I'm like, there comes a moment where like, ohhh, now I'm done! And I try to get back in there.

Cathy Hwang: No, totally. And I also – I always tell my students, like as a business lawyer, you really want to make friends with a, with a tax person.

[laughing]

Cathy Hwang: Twice this semester I've actually texted Andrew, 'So I'm teaching this new case I know there's a tax angle, I feel there's a tax angle, but what is it?

Risa Goluboff: Yeah, well, it's interesting you say that, I was talking to a student who was doing tax and I asked her, you know, why she became interested. And she said that she'd been at an investment bank and you know, they're sending emails back and forth about a deal. And there are all these people on the emails who aren't saying anything. And then all of a sudden toward the end of the deal, the tax lawyers would weigh in and say, we need more time. There are tax problems here and everyone would stop. And she said, you know, the tax people were clearly the powerful ones.

[laughing]

Risa Goluboff: You know, when they said there's a problem, everybody stopped.

Cathy Hwang: That's true in M&A practice too, right? I feel like tax drives the deal. Which is, I feel like I'm betraying my own kind by saying that, but it is, it is true.

Risa Goluboff: No. And that's the point Andrew's making, right? I mean, we don't think of tax as driving racial gentrification, but the essence of the point I take him to be making is this isn't just about historical discrimination, it's not just about discretion in the hands of particular local officials, it's about systematic rules that have been put in place, possibly people thinking for good social reasons and yet having potentially pernicious consequences, right? And creating incentives that we don't necessarily think are there.

Cathy Hwang: In one of my classes, recently we read the intro to professor Dorothy Brown's excellent new book, "The Whiteness of Wealth."

Risa Goluboff: Great.

Cathy Hwang: In the the intro to that, she talks about the IRS that put into place a lot of the rules that we know now. And it was a super

segregated agency and male-dominated and she talks about, you know, what did you think would happen to the tax? Like, what impact did you think tax laws would have given who wrote them and who they were thinking about when they wrote them.

Risa Goluboff: Absolutely.

[THEME MUSIC UP, THEN UNDER]

Cathy Hwang: That's it for this episode of Common Law. If you'd like to learn more about Andrew Hayashi and his work on property taxes and gentrification, head to our website, common law podcast dot com. There you'll find all our previous episodes links to our Twitter feed and more.

Risa Goluboff: In two weeks, co-host Danielle Citron and I will be talking about the true cost of pretrial detention with UVA Law professor Megan Stevenson.

Megan Stevenson: There hasn't been any real careful thought about what amount of risk, what type of harm would justify taking away someone's freedom.

Risa Goluboff: We're excited to share that with you. I'm Risa Goluboff.

Cathy Hwang: And I'm Cathy Hwang. See you next time.

[THEME MUSIC UP, THEN UNDER]

Emily Richardson-Lorente: Do you enjoy Common Law? If so, please leave us a review on Apple Podcasts, Stitcher, or wherever you listen to the show. That helps other listeners find us. Common Law is a production of the University of Virginia School of Law and is produced by Emily Richardson-Lorente and Mary Wood.

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