

## NewsRoom

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### Buckeye Institute to SCOTUS: Government Must Compensate Property Owners for Regulatory Takings

COLUMBUS, Ohio, Feb. 17 -- The Buckeye Institute, an independent research and educational institution that says its mission is to advance free-market public policy, issued the following news release on Feb. 15, 2024:

On Thursday, The Buckeye Institute filed an amicus brief (<https://www.buckeyeinstitute.org/library/docLib/2024-02-15-The-Buckeye-Institute-Amicus-Brief-in-El-Papel-v-Seattle.pdf>) asking the U.S. Supreme Court to hear *El Papel v. Seattle* and tell the city of Seattle that it must compensate landlords for taking their property when the city ordered a temporary eviction ban, even for non-paying renters.

"The takings clause in the U.S. Constitution provides that the government cannot take private property "without just compensation,"" said David C. Tryon, director of litigation at The Buckeye Institute. "But that is what Seattle did when it passed its pandemic-era eviction ban and told landlords they can't collect rent. Whether the government physically takes your property or gives possession to someone else, it still violates the U.S. Constitution."

In its brief, The Buckeye Institute argues that the right to exclude--to say who can and cannot live on your property--is a fundamental element of property rights protected by the Fifth Amendment and that Seattle effectively took private property by telling landlords they could not exclude non-rent paying tenants from their property.

Larry Obhof, a partner at **Shumaker, Loop & Kendrick, LLP** and former president of the Ohio Senate, is the counsel of record for The Buckeye Institute on this brief. Pacific Legal Foundation is arguing *El Papel v. Seattle*.

\* \* \*

Original text here: <https://www.buckeyeinstitute.org/research/detail/the-buckeye-institute-to-scotus-government-must-compensate-property-owners-for-regulatory-takings>

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