



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 30062

File ID: 30062

File Type: Resolution

Status: For Immediate Adoption

Version: 2

Reference:

Controlling Body: COMMON COUNCIL

File Created Date : 05/02/2013

File Name: Opposing Assembly Bill 183 which would eliminate or severely alter tenants' rights in the State of Wisconsin.

Final Action:

Title: Opposing Assembly Bill 183 which would eliminate or severely alter tenants' rights in the State of Wisconsin.

Notes:

Sponsors: Chris Schmidt, Scott J. Resnick, Paul R. Soglin, Marsha A. Rummel and Michael E. Verveer

Effective Date:

Attachments: By Title Only 30062.pdf

Enactment Number:

Author: Ald. Chris Schmidt, Council President

Hearing Date:

Entered by: lveldran@cityofmadison.com

Published Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Council Office	05/02/2013	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS				
	Action Text:		This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS				
	Notes:						
1	COMMON COUNCIL	05/07/2013					

Text of Legislative File 30062

Fiscal Note
No appropriation required.

Title
Opposing Assembly Bill 183 which would eliminate or severely alter tenants' rights in the State of Wisconsin.

Body

WHEREAS, policy decisions should be made by representative bodies closest to the needs and interests of the people; and,

WHEREAS, 2013 Assembly Bill 183 would preempt a number of city ordinances regarding landlord/tenant law; and,

WHEREAS, landlord/tenant law is an area in which the need for “local control” is not an empty slogan; and,

WHEREAS, landlord/tenant laws affect more than just the contract between two individuals; landlord/tenant laws affect the character of the city and help control the appropriate use of public resources; and,

WHEREAS, the following sections of Chapter 32 of the Madison General Ordinances are likely to be pre-empted in whole or in part by AB183:

1. Sec. 32.04(7) Rent Abatement and Code Violation Disclosure.
2. Sec. 32.04 (10) Coercion
3. Sec. 32.05(1)(g) Regulation of Guests
4. Sec. 32.06 (2) Tenants Rights and Responsibilities
5. Sec. 32.06 (4) Informing Tenant of Required Smoke Alarms
6. Sec. 32.06(5) Voter Registration Forms
7. Sec. 32.07(5) Written Check In and Check Out Procedure
8. Sec. 32.07 (5)(c) List of Physical Damages of Prior Tenant
9. Sec. 32.07(6) Forfeit of Security Deposit Withholding
10. Sec. 32.07(7) Itemization of Expenses for Security Deposit withheld
11. Sec. 32.08 (1) The Telephone Number of the Owner or the Owner’s Agent
12. Sec. 32.08(2) Disclosure of Code Violations and Conditions Affecting Habitability
13. Sec. 32.08(2)(c) Disclosure of Successor Tenant’s Right to Abatement
14. Sec. 32.08(2)(d) Disclosure of Occupancy Limits
15. Sec. 32.08(5) Written Reasons for Denial of Tenancy
16. Sec. 32.12(7) Informing tenant of minimum income requirements
17. Sec. 32.17 Self Help Repair

WHEREAS, in a city such as Madison where there is a high percentage of rental units, the need for the city to be able to legislate in this area is especially important,

NOW, THEREFORE, BE IT RESOLVED, that the City of Madison affirms its municipal right to enact local ordinances that serve to promote public health, well-being and quality of life within its jurisdiction; and,

BE IT FINALLY RESOLVED that the City of Madison strongly opposes AB 183, and urges the state legislature not to adopt this further erosion of local control.