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FOR IMMEDIATE RELEASE: July 31, 2013

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NEW DANE COUNTY LAW: LANDLORDS REQUIRED TO TELL TENANTS WHY THEY ARE NOT RENEWED

On July 17 the Dane County Board of Supervisors amended an important ordinance protecting residential tenants in the lease renewal and application process. As of today, landlords are now required to:

- Tell tenants in writing why their lease is not being renewed, the sources of information being used to make the decision, and give up to 60 days notice (depending on their lease).
- Upon request, tell all applicants the reason for their rejection and describe the landlord's selection criteria and the sources of information being used to make the decision.

This common-sense business practice will now be a legal requirement to end discrimination and retaliation against tenants and applicants. Without it, they face tremendous insecurity. "I recently talked to a senior tenant who's been living in her apartment for fifteen years. She got less than a month's notice that they weren't renewing her lease and had no idea why. If the landlord's reasons as legal, this kind of accountability shouldn't be an issue, and at least she'd have had more time to move," says Anders Zanichkowsky, Program Director at the Tenant Resource Center.

"There is a lot of subtle discrimination going on, particularly against Section 8 voucher holders," says Dane County Supervisor Heidi Wegleitner, author of the resolution. This requirement is one way of balancing out the current housing market, which has an unprecedented 2% vacancy rate that gives landlords a lot of power. "Housing applicants and advocates have observed extreme challenges to people securing housing," says Wegleitner. "This amendment will make it easier for people to verify the reasons they are denied, dispute erroneous information, pursue remedies for illegal bases for denial, and resolve housing barriers."

There is currently no legal requirement that landlords accept certain tenants over others, or that landlords renew an existing tenant's lease. The only cases in which tenants are protected is if they can prove they were the victim of discrimination or retaliation for asserting their rights. "This new requirement will make that fight easier by requiring landlords to be transparent about their rental practices in the first place, and in a timely manner," says Brenda Konkel, Executive Director of the Tenant Resource Center.

Dane County and Madison used to have additional protections but these local controls were made illegal by 2011 Wisconsin Act 143. Landlords can now require applicants to disclose social security numbers, enforce minimum income requirements unilaterally, and deny applicants for any criminal history, including sentences that were resolved years ago and offenses which pose no viable threat to other tenants or employees.