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LANDLORDS TAKE ACTION! SIGNIFICANT CHANGES IN WISCONSIN LANDLORD/TENANT LAWS CAME INTO EFFECT MARCH 1, 2014

Wisconsin Act 76 went into effect on March 1, 2014. This Act makes numerous changes to Wisconsin's landlord/tenant law, Chapter 704 of the Wisconsin statutes. There are a number of changes that have an immediate impact on the ordinary course of a landlord's business that landlords and their counsel should consider.

First, Wis. Stat. § 704.05 potentially expands a landlord's ability to treat a tenant's personal property as abandoned in an eviction action in the absence of a written agreement to the contrary. The statute's technical revisions have arguably broadened the circumstances which trigger a landlord's rights with respect to abandoned property.

Second, the law now addresses costs associated with "infestation of insects or other pests, due to the acts or inaction of the tenant…" The landlord may elect to allow the tenant to repair such damage at his or her own cost, or alternatively, may take such action as is necessary to repair such damage and seek reimbursement for the reasonable costs associated with such action.

Third, while landlords are still required to provide a check-in sheet to new tenants, landlords no longer need to provide a "standardized information" check-in sheet.

Finally, the Act created Wis. Stat. § 704.14 which requires a "Notice of Domestic Abuse Protection" be included in all residential rental agreements. The required notice sets forth protections for tenants facing eviction in certain instances of domestic abuse as well as tenant termination rights pursuant to Wis. Stat. § 704.16.

Copies of the new legislation can be read here. There are a number of other changes landlords and their attorneys will find particularly of interest. Further information about this bill and its impact on Wisconsin landlords can be obtained by contacting any member of our firm's Real Estate Practice Group, or if a dispute has arisen, by reaching out to our firm's Litigation Practice Group.