



## **League of Wisconsin Municipalities Talking Points**

### **Background**

Across the state of Wisconsin, approximately 25 municipalities employ landlord registration and/or rental inspection programs to enhance public health and safety and to improve property values. Registration of rental property owners and routine inspections of rental properties are essential tools to achieve these important goals.

Most property owners and landlords are responsible and maintain their rental properties. Unfortunately, there are some who fail to provide a safe and healthy living environment for their tenants.

- For example, the rental registration and inspection program in Beloit was created in 1994 in response to serious neighborhood concerns.
- The Beloit program has addressed public health and safety issues for over 20 years.
- Since 2012, the program has corrected:
  - 253 rental properties without smoke detectors;
  - 95 rental properties without carbon monoxide detectors;
  - 61 rental properties with insufficient sanitation; and
  - 56 rental properties with violations for insect, rodent, and vermin violations.

### **Enhancing Public Health and Safety**

The goal of rental inspection programs is to ensure rental properties are safe and healthy for tenants, children, and guests, and are regularly maintained.

- An individual's residence has a direct and significant impact upon his or her health.
- Restricting a municipality's ability to conduct routine inspections of rental properties severely limits our ability to ensure tenants are provided with a safe and healthy home for them and their children.
- Rental property is operated for profit. Like all other business properties, residential rentals need to be inspected to protect the public.

### **Improving Property Values**

Responsible property owners and taxpayers have invested billions in their homes and neighborhoods, and dilapidated rental properties degrade a municipality's housing stock and can lead to declining property values.



- Poorly and inappropriately maintained properties hurt the property values of those around them.
- All it takes is for one nuisance property to have a negative impact on a neighborhood.
- Inspection and enforcement activities ensure compliance with building and property codes, which helps encourage and maintain investment in housing and other properties, fostering reinvestment into communities.
- Taking away the ability to preserve and protect the quality of our housing stock at a point where local government is recovering from the foreclosure crisis and has invested millions to stabilize neighborhoods will disrupt an already fragile environment leading to more disinvestment.

### **Registration of Landlords**

Municipalities require the registration of property owners and landlords to ensure enforcement of building and zoning codes. Additionally, emergency responders and other city officials use the contact information gathered through registration to contact property owners or landlords when necessary.

- Registration makes it easier for a municipality to detect problem rental properties.
- Prohibiting registration of property owners or landlords prevents the municipality from obtaining emergency contact information unless it is provided voluntarily.
- Contact information is essential for proper enforcement of a municipality's building and zoning codes, by making communication between the city and property owners easier when a complaint is received or when a violation is detected.

### **Fees and Inspections**

Transparent and proactive inspection programs are critical to ensuring rental housing is safe for tenants and their children. The inspections are limited in scope, and property owners are provided with inspection checklists well in advance of the inspection. Program fees are reasonable and do not generate revenue for the municipality. As required by state law, fees fund only the necessary expenses of carrying out the inspection program. The inspections are not invasive for the tenant, and are only conducted with the tenant's prior notice.



### About the Inspection Program

- Municipal taxpayers should not shoulder the entire cost of the rental inspection program. Instead, the revenue-generating businesses that operate the rental units should pay for the inspections.
- Rental inspections are not onerous or overwhelming.
- Rental inspections occur on a regular basis, some occurring as long as 3-5 years apart.
- These are not “gotcha” inspections. In fact, property owners and landlords are provided the inspection checklists well in advance of the inspection.
- The inspections are limited in scope and are intended only to identify and correct the most egregious of safety and health violations. For instance, we inspect for:
  - Functioning smoke and carbon monoxide detectors;
  - Any gas leaks in the appliances;
  - Exposed electrical wiring and switches;
  - If there is water damage or leaks;
  - If the furnace, water heater, and clothes dryer are properly vented;
  - If plumbing is leaking and fully functional;
  - If there is visible roof damage;
  - If the home appears structurally sound; and
  - If there are broken windows or exterior doors.

### Fees are Reasonable

- The fees and costs to the property owners and landlords are minimal. For example, in Oshkosh there is a \$100 trip charge plus \$45 per rental unit charge. Spread over five years, the cost is just over \$2 per month (\$2.42 on average) per unit.
- Having a rental inspection program that routinely inspects all rental properties, instead of relying upon tenant complaints, is of the utmost importance.

### Protecting Vulnerable Tenants and Their Children

- With complaint-based inspection programs, many residents may be unaware of their rights or may fear retaliation from landlords. Our inspections make sure residents feel safe and have a voice.
- Many people with low incomes, who are elderly, have disabilities, and/or have children often do not feel they have many housing options and are fearful of angering their landlord and inviting retaliation. The use of automatic inspections by the local municipality ensures safe housing for everyone, and protects vulnerable populations.



- Additionally, university students, refugees and immigrants might be unaware of proper codes and what expectations they should have when looking for apartments. Inspections make sure all tenants are on a level playing field and receive fair and safe housing.
- Inspection programs are not a violation of a tenant's Fourth Amendment right against search and seizure.
  - Ordinances generally require that an inspector either receive permission to enter the home or obtain a warrant in court.
  - Further, if the tenant chooses, the inspection will be limited to the exterior of the home.

### **Call to Action**

We are asking members of the media to consider our perspective when preparing pieces on registration and/or rental inspection programs. Additionally, we are asking legislators to consider these facts when considering and debating any relevant legislation.

- We ask for you to support a municipality's ability to establish a program of regular rental housing inspections similar to what is done for public restaurants and other businesses that are responsible for the healthy and safety of their customers, or in this case, tenants.
- Doing so will promote healthy and safe living conditions for children and vulnerable populations.
- Thank you for your consideration, and please contact <<Name>> at <<Email>> or <<Phone Number>> for more information on this important issue.