



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved LANDLORD AND TENANT ISSUES SUBCOMMITTEE

Thursday, March 17, 2011

4:30 PM

215 Martin Luther King, Jr. Blvd.
Room LL-130 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

The meeting was called to order at 4:35 PM by Vice Chair Ejercito.

Staff Present: George Hank, Meg Zopelis & Cpt. Vic Wahl

Present: 4 -
Bridget R. Maniaci; Curtis V. Brink; Philip P. Ejercito and Detria D. Hassel

Excused: 1 -
Victor E. Villacrez

APPROVAL OF MINUTES

A motion was made by Maniaci, seconded by Brink, to Approve the Minutes of January 31, 2011. The motion passed by voice vote/other.

PUBLIC COMMENT

None

DISCLOSURES AND RECUSALS

None

1. [20509](#) Chair and Vice Chair Elections for the Landlord & Tenant Issues Subcommittee

A motion was made by Maniaci, seconded by Brink, to nominate Phil Ejercito as Chair. The motion passed by voice vote/other and Chair Ejercito continued with the meeting.

A motion was made by Maniaci, seconded by Ejercito, to nominate Curtis Brink as Vice Chair. The motion passed by voice vote/other.

NEW BUSINESS

4. [21167](#) Discussion on Greater Enforcement of MGO Chapter 32 - Landlord and Tenant

Attachments: [Wegleitner Reg Statement 3-2-11.pdf](#)
[Ch 32 Bail Schedule.pdf](#)
[Konkel Reg Statement 4-21-11](#)

Item taken out of order as Cpt. Vic Wahl was present to provide information.

Maniaci referenced that officers are not writing tickets because the price is so high. Wahl said there were 150 landlord/tenant complaints last year. Not all of these specifically dealt with a violation of Chapter 32. Wahl checked the records for the last two years and only found five citations. Four of the citations were for entering a premise without 24 hours notice and one was for removing or altering locks without consent of the tenant. There are usually factual disputes with these complaints so it is hard to write a citation. MPD has a two hour block on landlord/tenant issues in their initial training, which includes six months of classroom training and three months of field training.

Maniaci stated that non-emergency calls are not really being dealt with and wanted to know if there is a systematic training for dispatchers. Wahl said it depends on what you push to get through the auto attendant. Maniaci asked for information on the sequence/script the dispatchers use and Wahl said he would follow-up on that information.

Ejercito asked how many of these issues go to the City Attorney's Office from these calls. Wahl said he does not have a way to get that data, but he believes it is very few. Wahl does not think they are receiving these types of complaints.

Hassel asked about the standardized questions used by the dispatchers. Wahl said for Police it is new thing, but Fire/EMS has had a script for 7 – 8 years. Hassel asked if they missed a lot of calls and Wahl said there is a potential for all call types to be missed.

Maniaci asked about a landlord just showing up without 24 hours notice. What would Police do? Wahl said the Call Center Operator takes information, creates an incident report, and puts it into the queue based on the seriousness of the incident. There could be quite a wait for this type of call. If the officer thinks it is necessary, they would follow-up with the landlord. Then they would evaluate if there should be a citation. Ejercito asked if it would go to the City Attorney and Wahl said yes, if there was a citation and if it needed to be enforced.

Maniaci asked about the bail schedule. She doesn't think people are using the system and that there should be more reporting and prosecution of reported incidents.

Assistant City Attorney Lana Mades arrived for the discussion.

Maniaci wants better communication between departments. Mades said a lot of people are not calling in these types of complaints. Mades then reviewed the information she provided at the Housing Committee Meeting of March 2, 2011.

Maniaci asked if it mattered that the Officer shows up sooner rather than later. Should there be a liaison officer assigned for this? Wahl said that mostly there is no urgency for an Officer to arrive on scene for these complaints; the timeliness is not as critical. Full-time Neighborhood Officers should receive these complaints.

Ejercito asked Mades how many cases come from Police. Mades does not see the tickets which are issued and not contested. If tickets come through and are not contested, Mades may not see it.

Maniaci asked what she could do to educate renters Wahl said to make sure renters know these are violations. Maniaci then asked what the timeline is for these cases. Mades said it could be anywhere from 1 month to 1 ½ years. Maniaci wants this more accessible to people and easier to navigate. Wahl recommended Maniaci get specifics from renters.

Ejercito asked if self-reporting was included in the numbers. Wahl said you cannot self report on landlord/tenant issues. Brink said we need to document the issue and find out what the problem is by getting specifics. Maniaci asked why these items are with Police and Hank said because it is a behavioral issue, not a building issue. Ejercito indicated this is a public safety issue.

Maniaci said the subcommittee should have a work plan for this and get data. Ejercito said this item is very broad and covers a lot. He wanted the background information as he has not been able to find any enforcement for his issues. Ejercito would like to hear from landlords and the Tenant Resource Center on this issue as well.

Maniaci wants to know how other cities deal with this. Ejercito wants this to stay on the Agenda for the next meeting. The Subcommittee needs to set some goals and should have questions and a timeline ready for the next meeting.

A motion was made by Maniaci, seconded by Brink, to Refer this Discussion to the next meeting of LANDLORD AND TENANT ISSUES SUBCOMMITTEE (April 21, 2011). The motion passed by voice vote/other.

DISCUSSION ITEMS

5. [21366](#) Discussion of Future Items for Agenda

Ejercito suspended the rules to take this item out of order.

Hassel wants to invite someone to talk about policy changes for people going in and out of shelters and why people are not qualifying for housing. They are trusted in shelters but not in rental housing. Do we have data about people getting into housing/shelters?

Hank said they could invite representatives from YWCA and The Salvation Army and other shelters to discuss this topic. Hank thinks this is a full Committee item and Brink agreed. Maniaci asked Hassel to forward the information she had to Hank, and Hassel said she could do so. Maniaci also said she would do some outreach to Salvation Army.

A motion was made by Hassel, seconded by Maniaci, to recommend to Chair Porterfield that representatives of agencies be invited to attend the Housing Committee in May. The motion passed by voice vote/other.

UNFINISHED BUSINESS

3. [20510](#) Review of Tenant & Landlord Rights & Responsibilities Pamphlet

Attachments: [Tenant Landlord Web 9-27-10.pdf](#)
[Landlord tenant rights and responsibilities pamphlet 2-17-11.pdf](#)
[Tenant & Landlord Rights and Responsibilities Pamphlet 3-31-11.pdf](#)
[Tenant & Landlord Rights and Responsibilities Pamphlet 4-15-11.pdf](#)
[Konkel Agenda No.1 4-21-11.pdf](#)
[Reg Statements 4-6-11.pdf](#)
[landlord tenant pamphlet memo final.pdf](#)
[Tenant Landlord Rights and Responsibilities Pamphlet Konkel edits.pdf](#)
[tlb take two konkel edits with highlighted areas to change.pdf](#)
[landlord tenant pamphlet revised memo.pdf](#)

Ejercito suspended the rules to take item 3 out of order.

Update Page 6, lines 9 and 10, with changes regarding the notice to show apartments.

A motion was made by Maniaci, seconded by Brink, to recommend to the Housing Committee that the Landlord & Tenant Issues Subcommittee review the Tenant & Landlord Rights and Responsibilities every March. The motion passed by voice vote/other.

A motion was made by Maniaci, seconded by Brink, to recommend approval of the Tenant & Landlord Rights and Responsibilities as amended to the HOUSING COMMITTEE. The motion passed by voice vote/other.

2. [15867](#) SUBSTITUTE. Amending Section 27.04(2)(k) of the Madison General Ordinances to require owners of rental dwellings to provide contact information to the City of at least two people who can exercise control and care over the property and requiring that that contact information be posted at the property for tenants; and amending Sec. 1.08(3)(a) to create a bail deposit for violations.

Attachments: [LandlordTenantRegForms](#)
[Memo from George Hank 2-17-11.pdf](#)
[Memo from Gregg Shimanski 2-17-11.pdf](#)
[Landlord Tenant Subcommittee Registration Summary Shimanski.pdf](#)
[Reg Statements LT Subcom 3-17-11.pdf](#)
[Version 1](#)
[Reg Statements 4-6-11.pdf](#)
[Reg Statements 15867 7-7-10.pdf](#)

A motion was made by Maniaci, seconded by Hassel, to Return to Lead with the Following Recommendation(s): recommend approval to the HOUSING COMMITTEE based on the "Updates and Consensus regarding Creating Section 27.04(2)(l) " memo received from Gregg Shimanski. The City Attorney should update the legislative file with this language, with the amendment that "rental" replace "multi-family" in the initial section of the file. Also, the fee should be \$5.00 instead of \$10.00.

TEXT FROM GREGG SHIMANSKI:

Landlord Tenant Subcommittee
Updates and Consensus Regarding Creating Section 27.04 (2) (l)
Housing Provider Registration

1. Implementation Date - When new City of Madison Computer system is fully operational and in place, but no sooner than 1/1/2012.
2. Annual Fee:
 - a. To be determined by the committee based on George Hank written report/summary of a) His anticipated annual (initial year and then subsequent years) expenses directly related to this concept, and 2) total number of units to be effected by this (Note: Committee decision to go to ALL non-owner occupied housing units in the City of Madison)
 - b. Fee fixed for five (5) years by ordinance
 - c. Fee is per parcel, not per address
 - d. Consideration of reduced fee annually if renewal done online after first year.
3. Expand this section to incorporate current City Ordinance requiring posting per property of informational signage with housing provider name, and contact info (address, phone, email) at one inside entry of every building. (Cooperation of implementing this from Apartment Association of South Central Wisconsin in preparing order form to be mailed with registration info annually to ALL)
4. Inclusion in ordinance that City of Madison through it's Police Department, Fire Department, and Building Inspection Department shall by use of the data collected communicate promptly (expected from vehicle) with property owners (by email, if provided by owner) of 1) police calls to property for any reason; 2) fire or ambulance calls to any property for any reason; 3) building inspections orders and related, as well as Building Inspection E-Communication items required to assist housing provider (may be subscription based concept for certain things)
5. Housing provider must keep information current if there are changes to anything during the year, and if property sold must provide registration info to new owner or be continually liable until such info is provided/
6. Required info for Registration:
 - a. Actual name of owner per deed to property;

- b. Two contact names directly related to owner with phone numbers (two – work and mobile); address of owner; email of contact persons (option to check box to indicate they don't have email)
- c. Management company information if managed by others and one contact info complete for that entity.
- d. Housing Provider must be able to complete and submit this information fully online or request printed form by email
- 7. Draft ordinance comments and requested corrections:
 - a. P 1 (l) add "rental" after multi-family
 - b. P. 1 (2) Leave fee bland for now and change address to parcel
 - c. P. 2 Eliminate fees and add language to Fines and Bail Deposits in line with current Building Inspection Fines and Bail Deposits
- 8. Alder Maniaci would like to be added as a primary sponsor
- 9. Potential database access by City Neighborhood Department for use in developing uses in conjunction with Neighborhood Associations to empower them to use data for contacts as needed.

The motion passed by the following vote:

- Excused:** 1 - Villacrez
- Ayes:** 3 - Maniaci; Ejercito and Hassel
- Noes:** 1 - Brink

ROLL CALL

Hassel left at 6:04 PM.

- Present:** 3 - Bridget R. Maniaci; Curtis V. Brink and Philip P. Ejercito
- Excused:** 2 - Detria D. Hassel and Victor E. Villacrez

6. [21367](#) Discussion of back-up meeting dates if a regularly scheduled meeting is cancelled.

A motion was made by Maniaci, seconded by Brink, to Table this item. The motion passed by voice vote/other.

ADJOURNMENT

A motion was made by Brink, seconded by Maniaci, to Adjourn at 6:11 PM. The motion passed by voice vote/other.