



City of Madison

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

Thursday, May 21, 2009

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 by Chair Sparer at 4:39 PM.

Staff: George Hank & Meg Zopelis

Present: 4 -

Philip P. Ejercito; Detria D. Hassel; Alicia Bosben Gebhardt and David R. Sparer

Absent: 2 -

Bridget R. Maniaci and Curtis V. Brink

APPROVAL OF MINUTES

A motion was made by Hassel, seconded by Ejercito, to Approve the Minutes. Amendment to Minutes by Ejercito, clarification on page 3, second paragraph, "Because of the wording, it does not have to be consecutive hours and the actual time of entry need not be specified."

The motion passed by voice vote/other.

PUBLIC COMMENT

None

ROLL CALL

Brink arrived at 4:42 PM.

Present: 5 -

Curtis V. Brink; Philip P. Ejercito; Detria D. Hassel; Alicia Bosben Gebhardt and David R. Sparer

Absent: 1 -

Bridget R. Maniaci

DISCUSSION ITEMS

ROLL CALL

Ald. Maniaci arrived at 4:54 PM.

Present: 6 -

Bridget R. Maniaci; Curtis V. Brink; Philip P. Ejercito; Detria D. Hassel;
Alicia Bosben Gebhardt and David R. Sparer

1. [13986](#)

Discussion on M.G.O. Section 32.05 - Tenants Rights to Privacy and Exclusive Possession

Attachments: [MGO Section 32.05.pdf](#)
[Apartment Showing Notice Ejercito.pdf](#)

Ejercito said the issues relate to Section 32.05(d) & (e), as neither of these specifies time. Ejercito wants specific hours clarified. His intent is not to make it more difficult to rent an apartment.

Brink said Madison is already the most restrictive city in the state. If we start specifying an exact 3 hours, it causes problems. Brink is concerned about people making it difficult to rent apartment.

Ejercito wants to give tenants notice to make sure the apartment is ready to be seen, presentable and desirable. Ejercito is okay with keeping the shorter notice part of (d) and (e), if both parties agree.

Maniaci arrived at 4:54 PM.

Sparer suggested the following language: 32.05(d), "...24 hours notice of the specific date and either the exact time or a 4 hour window..."

A motion was made by Ejercito, seconded by Hassel, that language be drafted to the effect of what Sparer said.

Ejercito asked to amend his motion, seconded by Hassel, to recommend language that would add to (d), "...time of entry unless the tenant approves a shorter period of notice or a larger window of availability..."

Discussion:

Brink thinks that landlords should be brought in to discuss this issue. There are a lot of properties Downtown and the subcommittee should not make it more restrictive. A discussion of the impact needs to happen. There are landlord rights too.

Sparer recommended to adopt at the subcommittee and send it to the full Housing Committee. Sparer wanted Nancy Jensen from the Apartment Association present for this item. George Hank thinks this change to the language makes it less restrictive because it changes it from an approximate time to a 4 hour window.

Bosben-Gebhardt thinks they should not be changing 32.05(d), and should

only be working on 32.05(e) because that deals with showing apartments. 32.05(d) is regarding maintenance. Ejercito withdrew his motion and Hassel agreed to the withdrawal.

Rework of language 32.05(e): Change language that was originally requested for 32.05(d) to 32.05(e), as it just relates to showings.

32.05(e) - (line 4) notice or a larger period of availability

A motion was made by Ejercito, seconded by Maniaci, to refer this item to the Housing Committee to amend 32.05(e) as follows:

“..without at least twenty-four (24) hours notice of the specific date and either the exact time or a four (4) hour window covering not more than a three-day period of no more than four (4) hours per day ...” and “...unless the tenant approves a shorter period of notice or a larger window of availability...”

A motion was made by Ejercito, seconded by Maniaci, to Refer to the HOUSING COMMITTEE. The motion passed by voice vote/other with Brink voting No.

2. [12712](#)

2009 Goals & Objectives for Landlord & Tenant Issues Subcommittee

Attachments: [2009 Work Plan Items.pdf](#)
[Chapter 32 bail schedule.pdf](#)
[2009 L-T Work Plan.pdf](#)
[Tenant Protections Landlord Foreclosure.pdf](#)

Maniaci is concerned about housing and the shift on whose living in her District. Specific concerns are related to right by James Madison Park on the East Isthmus. She is looking to work on trying to expand inspection capabilities. Maniaci spoke with Mark Olinger to see if staff could be shifted around. This started with the 600 block of East Johnson at the Plan Commission. Ald. Kerr was very animated about the fact that there is a substantial amount of housing in the City that is rundown and we have not been inspecting properly and some of the areas are to the point where we are tearing down houses. City Inspection should be working on better tenant/landlord relations. Maniaci wants to know about other issues in other parts of the City. Maniaci wants focus and a mission for the Housing Committee.

Bail Schedule – Sparer will speak with Maniaci about this issue. Sparer reviewed the Tenant Protections on Landlord Foreclosure. This is the new State Statute.

Future Agenda:

Ejercito would like a discussion on instances where apartments are rendered difficult to get into because of construction nearby (standards for noise and safety). Hank said there is no construction between 7:00 PM and 7:00 AM. Other than that, there is unlimited noise between 7:00 AM and 7:00 PM. Ejercito is wondering if there is a safety threshold that can be established for tenants at which point their unit becomes untenable. Sparer said the State

Statute speaks much more to the apartment of the tenant in question. Hank said it is unlimited noise between 7:00 AM and 7:00 AM, and it is written that way so that during the nighttime hours (7:00 PM and 7:00 AM) there can be no construction noise. City Inspection staff are not available during the nighttime hours, but the Police are and they do not have sound meters. If the Police hear hammers and saws, then it considered a violation of the Ordinance. Hank said there are unlimited noise restrictions during the daytime hours, because the construction will only be a short period of time and not permanent.

ADJOURNMENT

A motion was made by Ejercito, seconded by Brink, to Adjourn at 5:47 PM. The motion passed by voice vote/other.