

**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

Date: June 8, 2015

MEMORANDUM

TO: Members of the Landlord and Tenant Issues Committee

FROM: Steve Brist, Assistant City Attorney

RE: Best Practices Guidelines

I. ~~Generally agreed upon provisions, based on Sections of Chapter 32 that may be repealed or amended because of State Law changes.~~ Proposed Best Practices

1. A landlord or landlord's agent should provide at least 24 hours notice before entering upon a tenant's leased property, unless it is reasonably believed that entry is necessary to preserve or protect the premises from damage or destruction.
2. The landlord should provide at least 24 hours notice, ~~the exact a~~ reasonable time of entry and ~~the an estimated~~ length of stay when showing the leased property to potential future tenants. The landlord and tenant may also mutually agree to shorter notice periods or a larger window of availability.
3. The landlord should provide the tenant with written guest regulations, if such regulations exist.
4. The landlord should provide the tenant with the Tenant's Rights and Responsibilities brochure at the beginning of the tenancy.
5. The landlord should provide a new tenant with voter registration forms at the time the tenant takes possession of the residence.
6. The landlord agrees that late fees and penalties will not exceed 5% of the periodic rent.
7. The landlord will provide written reasons for denial of a rental application or for the non renewal of a lease.
8. If the residence is subject to rent abatement the landlord will so inform successor tenants.

9. This landlord will use written check in and check out forms.
10. The landlord will photograph any damages found at the end of the tenancy and will make the photographs available to the former tenant.
11. The landlord will provide the ~~former outgoing~~ tenant not only with an itemization of amounts withheld from security deposits, but also receipts and estimates and hourly rate charges for work performed.
12. The landlord will provide the tenant with a telephone number where the tenant may reach the landlord or the landlord's agent.
13. The landlord will itemize any amounts are withheld from an earnest money deposit.
14. ~~The landlord will explain their minimum income requirements.~~ The Rental Criteria used by the landlord shall be provided to the tenant at or prior to the time they are given a rental application.

~~II. Additional Discussion items~~

~~15. Security deposit caps~~ A security deposit will not exceed the equivalent of one month's rent, however the parties may mutually agree in writing to additional fees as a security deposit for pets or a waterbed.

~~216. Two security deposits for the same premise~~ A landlord will not simultaneously hold a security deposit given by a tenant and a sub tenant of the same rental premise unless the total of the deposits made by the parties does not exceed the equivalent of one month's rent.

~~317. Disclosure of building code violations~~ A landlord will disclose to a tenant any known defects which are potentially subject to rent abatement, whether or not notice of the defects has been received by the landlord from code enforcement authorities.

~~4. Further discussion of written reasons for denial of tenancy (although this is #7 above).~~