



Legislation Details (With Text)

**File #:** 25836      **Version:** 2      **Name:** Landlord/Tenant Issues Comm.

**Type:** Ordinance      **Status:** Passed

**File created:** 4/3/2012      **In control:** COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)

**On agenda:** 4/10/2012      **Final action:** 6/12/2012

**Enactment date:** 6/21/2012      **Enactment #:** ORD-12-00076

**Title:** SUBSTITUTE Amending Section 32.03 of the Madison General Ordinances to separate the functions of the Housing Committee into two committees: the Housing Strategy Committee and the Landlord and Tenant Issues Committee.

**Sponsors:** Paul R. Soglin, Scott J. Resnick, Michael E. Verveer

**Indexes:**

**Code sections:**

**Attachments:** 1. Version 1

Date	Ver.	Action By	Action	Result
6/12/2012	2	COMMON COUNCIL	Adopt	Pass
5/15/2012	2	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/2/2012	1	HOUSING COMMITTEE (ended 6/2012)		
4/10/2012	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	Refer	
4/10/2012	1	COMMON COUNCIL	Referred	
4/3/2012	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No appropriation is required. Committee support will be provided with existing staff resources.

**Title**

SUBSTITUTE Amending Section 32.03 of the Madison General Ordinances to separate the functions of the Housing Committee into two committees: the Housing Strategy Committee and the Landlord and Tenant Issues Committee.

**Body**

DRAFTER'S ANALYSIS: The Housing Committee, established under Sec. 32.03, MGO, is charged with a wide range of responsibilities. This includes overseeing the development of housing strategies within the City, addressing landlord-tenant concerns, and performing the functions formerly exercised by the Rent Abatement Oversight committee. This amendment, in conjunction with Legistar #25837, will separate the responsibilities regarding housing strategies from those related to landlord and tenant issues, and will establish a separate committee for each.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Section 32.03 entitled "Housing Committee" of the Madison General Ordinances is amended to read as follows:

**"32.03 HOUSING LANDLORD AND TENANT ISSUES COMMITTEE.**

- (1) Creation. There is hereby created a Housing Landlord and Tenant Issues Committee for the City of Madison.
- (2) Composition.
  - (a) The Housing Landlord and Tenant Issues Committee shall consist of fifteen (15) nine (9) members plus one (1) citizen alternate member appointed by the Mayor and subject to approval by the Common Council. Two (2) members shall be alderpersons. The other members shall be citizen members. Members shall serve without compensation. The members shall elect annually from among their citizen members a chairperson and vice-chairperson; however, the initial chairperson shall be selected by the Mayor. In making appointments, the Mayor may consider for appointment a member of the Housing Strategy Committee.
  - (b) One (1) citizen member appointment shall be a representative of a tenant organization, and one (1) citizen member appointment shall be a representative of an apartment owner's organization. One (1) citizen member will be a student at a Madison area university or college. Because these members are chosen as representatives of certain groups, these members' actions as committee members are exempted from the provisions of Secs. 3.35(5)(a)1. and 3., MGO, solely to the extent that their position or actions affect or may result in a benefit to the groups they represent.
- (3) Terms. All citizen members shall be appointed for three year terms, however, the initial terms of ~~six (6)~~ four (4) of the citizen members shall expire on April 30, ~~2004~~ 2013. Initial terms of the remaining ~~eight (8)~~ three (3) citizen members shall expire on April 30, ~~2002~~ 2014. The citizen alternate member will have a one- (1) year term. Thereafter, each citizen member shall be appointed for a three-year term commencing on May 1st and expiring on April 30th. The term of any alderperson shall expire with the expiration of his or her term in office.
- (4) Powers and Duties. The Housing Landlord and Tenant Issues Committee shall have the following powers, duties, and functions:
  - (a) ~~encourage the development and preservation of affordable housing in the City of Madison;~~
  - (ba) ~~s~~Serve as a forum for discussion and communication about focal point for housing issues, including landlord-tenant issues;
  - (c) ~~oversee the coordination of City of Madison housing policies;~~
  - (b) ~~m~~Make recommendations to the Mayor and the Common Council on all aspects of housing policy landlord and tenant policies and issues, including landlord and tenant issues in Chapters 27 and 32 of the Madison General Ordinances; and
  - (e) ~~create subcommittees to carry out its functions;~~
  - (f) ~~hold public hearings on, and recommend to the Common Council specific policies and programs to encourage and assess the City's housing efforts; and~~
  - (g) ~~in addition to the foregoing, the Housing Committee shall have such other powers, duties and functions related to housing as are conferred on it by the Mayor or the Common Council from time to time.~~
  - (hc) Perform the functions formerly exercised by the Rent Abatement Oversight Committee:
    1. Adopt such rules and regulations, subject to approval by the Common Council, as may be necessary to carry out the purpose and provisions of the rent abatement process in Sec. 32.04<sub>1</sub> of the Madison General Ordinances MGO.
    2. Recommend to the Common Council additions to, deletions from, and changes in the Schedule of Rent Impairing Violations in Sec. 32.04(5)(d) as well as other provisions in Chapter 32 that the Committee believes are appropriate for Common Council action.
    3. Approve forms for the use of tenants, landlords, the Building Inspection Division of the Department of Planning and Community and Economic Development and Rent Abatement Hearing Examiners to facilitate the rent abatement process in Sec. 32.04<sub>1</sub> of the Madison General Ordinances MGO.
    4. Institute procedures for the selection of Rent Abatement Hearing Examiners for

the setting of a time and place for rent abatement hearings and for the giving of notice thereof to interested landlords and tenants within ten (10) days of the filing of a request for a hearing concerning authorization for rent abatement with the Building Inspection Division of the Department of Planning and Community and Economic Development.

5. Establish criteria and procedures for waiving the ten dollar (\$10) filing fee in cases of economic hardship.
6. Maintain statistics on the number of requests for hearings concerning authorization for rent abatement, the number of hearings held and the results thereof including, but not limited to such information as the following:
  - a. Whether abatement was granted and, if so, in what percentage.
  - b. Where abatement was denied, the specific reason therefor.
  - c. The amount of time elapsed between the filing of the request for a hearing and the issuance of a decision.
7. In order to assist in determining the effectiveness of the abatement process and to ensure full enforcement of the abatement ordinance, the Committee shall also maintain additional statistics which may include such other information as the following:
  - a. The amount of time elapsed between the initial inspection and authorization for abatement, if any.
  - b. Any extensions of time to effect compliance with inspection orders for repairs to residential rental property.
  - c. The number of inspection orders forwarded to the City Attorney for prosecution, the date referred and the final disposition of such referrals.
  - d. The number of requests to the City Attorney for enforcement of a Hearing Examiner's order or for prosecution for failure to obey same including such information as the date of referral, the action taken by the City Attorney, the date on which final action was taken and the outcome of such action including abatement amounts secured for a tenant and forfeitures imposed.
8. Staff. The Building Inspection Division of the Department of Planning and Community and Economic Development shall provide staff support for both the HousingLandlord and Tenant Issues Committee and for the Rent Abatement Hearing Examiners and shall receive and retain all documents, reports and records relating thereto.

- (5) Meetings. The HousingLandlord and Tenant Issues Committee shall meet at least once a month and shall conduct its business in accordance with rules which it may establish. The Director of the Building Inspection Division or his or her designee shall provide staff assistance to the HousingLandlord and Tenant Issues Committee, shall serve as its Secretary, but shall not vote. The City Attorney or his or her designee shall furnish the HousingLandlord and Tenant Issues Committee with legal assistance necessary to carry out its functions. ~~The staff of the Department of Planning and Community and Economic Development shall provide assistance to any subcommittees created by the Housing Committee."~~

2. The City Attorney is directed to make corresponding changes to other City ordinances to reflect the change in name and duties related to the Landlord and Tenant Issues Committee.