



## Legislation Details (With Text)

**File #:** 63896      **Version:** 1      **Name:** Rent Abatement Under Multiple Sections  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/25/2021      **In control:** Attorney's Office  
**On agenda:** 3/30/2021      **Final action:** 3/30/2021  
**Enactment date:** 4/9/2021      **Enactment #:** ORD-21-00032  
**Title:** Amending Section 32.04(4)(d) of the Madison General Ordinances to allow the Rent Abatement Hearing Examiner to Order Abatement of Rent Under Multiple Sections of the Impairing List.  
**Sponsors:** Max Prestigiacomo, Michael E. Verveer  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
3/30/2021	1	COMMON COUNCIL	Adopt	Pass
3/18/2021	1	LANDLORD AND TENANT ISSUES COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
2/2/2021	1	COMMON COUNCIL	Refer	Pass
1/25/2021	1	Attorney's Office	Referred for Introduction	

### Fiscal Note

No City appropriation required.

### Title

Amending Section 32.04(4)(d) of the Madison General Ordinances to allow the Rent Abatement Hearing Examiner to Order Abatement of Rent Under Multiple Sections of the Impairing List.

### Body

DRAFTER'S ANALYSIS: This amendment permits the Rent Abatement Hearing Examiner to order abatement of rent under multiple sections of the rent impairing list, where a single room serves multiple purposes, such as a kitchen, living room or bedroom. For example, an efficiency apartment may be a single room that serves multiple purposes, where a single code violation may affect multiple living functions such as eating and sleeping.

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

Subdivision (d) entitled "Schedule of Rent Impairing Violations" of Subsection (4) entitled "Authorization of Rent Abatement" is hereby amended as follows:

"(d) Schedule of Rent Impairing Violations. A tenant authorized to abate rent shall do so in accordance with the following schedule with the precise amount to be set by the Rent Abatement Hearing Examiner after notice and hearing pursuant to Sec. 32.04(4)(e). The Hearing Examiner may order abatement of rent under multiple sections of the impairing list when a violation exists in a single room that serves multiple purposes such as a kitchen, living room and or bedroom. The maximum total abatement authorized pursuant to this ordinance shall not exceed ninety-five percent (95%) of the periodic rental payment, except where the premises have been vacated pursuant to an order of the Director of the Building Inspection Division of the Department of

Planning and Community and Economic Development or pursuant to any other tenant right to remove from residential rental premises secured under Wisconsin law.”