



Legislation Details (With Text)

File #: 16662 **Version:** 7 **Name:** Renting premises
Type: Ordinance **Status:** Filed
File created: 11/16/2009 **In control:** LANDLORD AND TENANT ISSUES
SUBCOMMITTEE (ended 6/2012)
On agenda: 3/15/2011 **Final action:** 11/29/2011
Enactment date: **Enactment #:**
Title: 5TH SUBSTITUTE Repealing and recreating Sec. 32.12(9) of the Madison General Ordinances to modify the regulations for re-renting rental premises.
Sponsors: Bridget R. Maniaci, Michael E. Verveer
Indexes:
Code sections:

Attachments: 1. Version 1, 2. Reg Form LT 12-17-09.pdf, 3. Reg Form Handouts LT 1-21-10.pdf, 4. LandlordTenantRegForms, 5. Version 2, 6. Version 3, 7. Version 4, 8. Michael Christopher Ltr to Porterfield.pdf, 9. Christopher Ltr to Porterfield 8-30-10, 10. SB Apts Addendum #2 Non-Standard Rental Prov, 11. Reg Statements 16662 7-7-10.pdf, 12. Steve Brown Apts Ltr to Committee 8-4-10, 13. Version 6 (5th Sub), 14. Reg Statements 16662 9-1-10.pdf, 15. Registration Forms - Oppose 9-21-10.pdf, 16. Registration Forms - Support 9-21-10.pdf, 17. Showing and Rerenting Rental Premises (00202664).PDF, 18. Downtown Madison Rental Market Data 2009. Traffic, Showing, Leasing (00202205).PDF, 19. 10/28/10 A Frey Letter re: Legislative File 16662, 20. Version 5, 21. Version 6, 22. Registration Forms 2-22-2011.pdf, 23. Reg Statements 5-4-11.pdf, 24. Reg Statements 4-6-11.pdf, 25. LT Reg Statements 6-16-11.pdf, 26. Reg Statement Item #1 7-21-11.pdf

Date	Ver.	Action By	Action	Result
11/29/2011	7	COMMON COUNCIL	Place On File Without Prejudice	Pass
8/18/2011	7	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)	Return to Lead with the Recommendation for Approval	Pass
7/21/2011	7	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)		
6/16/2011	7	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)	Refer	Pass
5/19/2011	7	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)	Refer	Pass
5/4/2011	6	HOUSING COMMITTEE (ended 6/2012)	Refer	Pass
5/3/2011	6	COMMON COUNCIL	Re-refer	Pass
4/6/2011	6	HOUSING COMMITTEE (ended 6/2012)	Refer	Pass
2/22/2011	6	COMMON COUNCIL	Refer	Pass
2/1/2011	5	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
12/14/2010	5	COMMON COUNCIL	Re-refer to a Future Meeting to Adopt	Pass
11/9/2010	5	COMMON COUNCIL	Re-refer	Pass

9/21/2010	5	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
9/1/2010	5	HOUSING COMMITTEE (ended 6/2012)	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Fail
7/7/2010	3	HOUSING COMMITTEE (ended 6/2012)	Refer	Pass
4/7/2010	2	HOUSING COMMITTEE (ended 6/2012)	Refer	Pass
3/18/2010	2	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)	Return to Lead with the Following Recommendation(s)	Pass
3/3/2010	2	HOUSING COMMITTEE (ended 6/2012)		
2/25/2010	2	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)		
1/21/2010	2	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)		
12/17/2009	1	LANDLORD AND TENANT ISSUES SUBCOMMITTEE (ended 6/2012)		
12/15/2009	1	COMMON COUNCIL		
12/2/2009	1	HOUSING COMMITTEE (ended 6/2012)		
11/17/2009	1	COMMON COUNCIL	Refer	Pass
11/16/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No appropriation is required.

Title

5TH SUBSTITUTE Repealing and recreating Sec. 32.12(9) of the Madison General Ordinances to modify the regulations for re-renting rental premises.

Body

DRAFTER'S ANALYSIS: Currently, a landlord may not enter into a new lease for the premises until one-fourth (1/4) of the lease period has passed. This amendment adds language prohibiting a landlord from offering a lease renewal for the subsequent year to the current tenant until one-fourth (1/4) of the lease has passed. If the landlord offers a renewal, the tenant has 15 days to accept the renewal offer and the landlord may not lease the premises to another tenant during that period. The effective date of this ordinance is March 1, 2011.

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

1. Subsection (9) of Section 32.12 entitled "Prohibited Practices" of the Madison General Ordinances is amended to read as follows:

"(9) ~~Landlord and Tenant shall enter into a Non Standard Rental Provision, in the manner prescribed in Sec. 32.07(14)(f), Madison General Ordinances, that provides that Landlord will not enter into an agreement to rent the leased premises to another tenant for the subsequent lease period until after the date specified in the Non Standard Rental Provision. This provision does not apply if a lease period is less than nine (9) months. Nothing in this subsection shall prohibit a landlord from mitigating their damages after an eviction or a lease termination.~~

(a) ~~If Landlord and Tenant fail to enter into a Non Standard Rental Provision regarding showing premises for rental purposes, then it is presumed that the parties to the lease intend that the Landlord will not rent the leased premises to another tenant for a subsequent lease period until after one fourth (1/4) of the lease period has passed.~~

Rental for Subsequent Lease Period. Landlord will not rent the leased premises to another tenant for a subsequent lease period until after one fourth (1/4) of the lease period has passed.

(a) A landlord may not offer a lease renewal to a current tenant until one-fourth (1/4) of the lease period has passed. The tenant then has a minimum of fifteen (15) days from that point in time to consider and accept a renewal offer. If a renewal has been offered, a landlord may not lease the premises during that period to another prospective tenant, unless the current tenant responded and indicated they will not be accepting the renewal offer. If the tenant does not accept the renewal offer within the fifteen (15) day period, the landlord may lease the premises to another tenant.

(b) This provision does not apply if a lease period is less than nine (9) months."

2. This ordinance amendment is effective to all leases entered into after as of March 1, 2011.