



Legislation Details (With Text)

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**Title:** Resolution seeking introduction and passage of state legislation relating to a rebuttable presumption about damage to rented or leased residential property.

**Sponsors:** ALD. HENNINGSSEN

**Indexes:** HOUSING, RENTAL HOUSING, STATE LEGISLATION

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
3/26/2002	0	COMMON COUNCIL	ASSIGNED TO		
3/28/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/1/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
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4/15/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
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ORIGINAL

ALD. HENNINGSSEN

Resolution seeking introduction and passage of state legislation relating to a rebuttable presumption about damage to rented or leased residential property. This resolution directs the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation which specifies that damage of \$500 or more to a single residential rental unit that occurs during any period of residential tenancy and is not attributable to normal wear and tear from tenant use of the premises is rebuttably presumed to have been caused by the tenant's action or negligent failure to protect the premises unless

the presumption can be overcome by credible evidence or witnesses provided by the tenant.

Whereas, It is in the best interest of the City of Milwaukee to take steps to preserve the city's rental housing stock, to keep housing affordable for both renters and property owners, and to encourage owners of residential rental property to maintain their investments in Milwaukee; and

Whereas, With respect to residential rental properties in Milwaukee, various associations of residential rental property owners have complained that when tenants legally or illegally vacate rental properties as a result of eviction or routine moving, they often deliberately commit damage to the properties in retaliation for what they perceive as wrongful actions by the owners, even though evictions or other actions by the owners were fully legal; and

Whereas, Even though damage to a single residential rental unit often runs into the thousands of dollars, property owners are unable to have such acts by tenants prosecuted by the District Attorney's Office because the owners cannot prove that the tenants committed the damage, even in cases where owners have inspected vacant units within hours of tenant departure; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division-Department of Administration is directed to seek introduction and passage of state legislation which specifies that damage of \$500 or more to a single residential rental unit that occurs during any period of residential tenancy and is not attributable to normal wear and tear from tenant use of the premises is rebuttably presumed to have been caused by the tenant's action or negligent failure to protect the premises unless the presumption can be overcome by credible evidence or witnesses provided by the tenant.

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