



Legislation Text

File #: 191490, **Version:** 1

191490 SUBSTITUTE 1

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Substitute resolution directing the Commissioner of City Development to establish and implement a plan that identifies landlords with a history of wrongfully evicting tenants and excludes them from purchasing City-owned properties.

This resolution directs the Commissioner of City Development to establish and implement a plan that identifies landlords with a history of wrongfully evicting tenants and excludes them from purchasing City-owned properties. The Commissioner shall provide the Common Council with a list of landlords who demonstrate a history of wrongfully evicting tenants.

Whereas, The 2020 Budget was adopted by Common Council File Number 190001 on November 26, 2019; and

Whereas, Amendment 17 placed a footnote in the Budget stating, "The Commissioner of City Development shall implement a plan for identifying landlords with a history of eviction abuse and excluding them from purchasing City-owned properties"; and

Whereas, In Wisconsin, a tenant may only be removed from a rental residence if a landlord has won an eviction lawsuit against a tenant, and subsequently only a law enforcement officer is permitted to forcibly remove a tenant from a property; and

Whereas, If a landlord does not follow proper procedure under state law while attempting to evict a tenant, the eviction may not be valid; and

Whereas, Wrongful eviction generally occurs when a landlord ignores landlord-tenant laws and rules by taking inappropriate actions such as changing the locks on a door, removing personal belongings from a unit, shutting off utilities, or failing to provide notice of eviction proceedings; and

Whereas, Section 200-20 of the Code of Ordinances provides that "no lessor of commercial or residential property shall take retaliatory action toward any lessee who reports building code violations existing on or about the premises by raising rents unreasonably, or by curtailing services or by eviction"; and

Whereas, Tenants sometimes file wrongful eviction lawsuits against landlords operating in Milwaukee, but many low-income renters who are faced with wrongful eviction do not have the financial means to afford attorneys to contest their eviction; and

Whereas, An imbalance in financial resources affords landlords a legal advantage over tenants, increasing the likelihood that if landlords act illegally, they may not face consequences and, in turn,

are able to continue to wrongfully evict tenants in the future; and

Whereas, The Department of City Development acquires vacant properties and publishes a list of City-owned properties that are for sale to members of the public, including landlords, through “extended listing for investors or owner-occupants”; and

Whereas, Landlords may submit offers to the City of Milwaukee at any time for “extended listing” properties once they have completed the Landlord Training Program; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of City Development is directed to establish and implement a plan to identify landlords with a history of wrongfully evicting tenants and to exclude them from purchasing City-owned properties; and, be it

Further Resolved, That the Commissioner shall make available to the Common Council a list of landlords who demonstrate a history of wrongfully evicting tenants, in order for Common Council members to warn constituents of problematic landlords; and, be it

Further Resolved, That the Commissioner of City Development shall update the Common Council, within 4 months of the adoption of this resolution, on a plan that identifies landlords with a history of wrongfully evicting tenants and excludes them from purchasing City-owned properties.

LRB175641-2
Alex Highley
1/21/2020