

# Rental Safety and Sanitation

## Landlord's Role

Landlords may not rent property that has been condemned or placarded. Uncorrected building code violations, lack of hot or cold running water, lack of safe electrical system, lack of sewage disposal, and heating systems unable to reach 67°F in all living areas in the winter are all health or safety hazards.

- Keep heating, plumbing, electrical system, and building structure in good condition.
- Keep common areas such as hallways, storage areas, laundry rooms, parking lots, and yards in multi-unit buildings clean and in good condition.
- Maintain all supplied equipment, including all appliances.
- If the building is occupied by one or more tenants, improper use or damage by one tenant does not relieve the landlord of the duty to maintain the premises for the other tenants in the building.
- At the start of a tenancy, the landlord must provide the tenant with the name and address of a person who can be readily contacted regarding problems.

## Tenant's Role

- Perform minor maintenance. Keep plumbing, electrical wiring, machinery and equipment furnished with the premises in reasonable working order if the repair can be made at a cost which is minor in relation to the rent.
- Keep the property in a safe, sanitary condition.
- Keep thermostat set at a minimum of 55°F to prevent freezing of pipes and other equipment.
- Repair or pay the landlord to repair, all damages caused by the tenant or their guests.

## Before you call the Health Department

- Make a list of the repair problems that need to be fixed.
- Tell the landlord about the needed repairs and request that they be made within a reasonable time limit. Be sure to contact the landlord as soon as there is a problem, since some repair problems will worsen if they go unaddressed. Keep a log of all calls, including the times and dates of calls, who you talked to and what you requested.
- If the landlord does not contact you or make repairs within a few days, write a letter and include a reasonable deadline for the completion of repairs. Keep a copy for yourself.

- If your landlord fails to perform the requested repairs by the deadline, write a second letter. This letter should note the previous repair request and announce you will take further action if repairs are not made by a certain date. For certain urgent problems, such as no heat or a broken lock on the main door, you might choose to contact the health department immediately, and not go through the steps of writing letters if the landlord is not responding to phone calls.



## Involving the Health Department

- If the landlord still has not made the necessary repairs, call the Health Department. Health inspectors can order the landlord to fix health or safety problems, such as lack of heat or hot water, pest infestation, plumbing or electrical problems, etc. Cosmetic repairs such as faded paint or stained carpeting will not be included. The health inspector will order the landlord to make the repairs within a specified amount of time and will return to see the repairs complete.
- If the landlord does not make the repairs by the compliance date, file a complaint with Department of Agriculture Trade and Consumer Protection, but do not withhold rent.
- Call Consumer Protection. Consumer Protection laws require landlords to follow through on repair promises. If your landlord made a written or verbal promise to make a repair but has not followed through, you may file a complaint with Consumer Protection by calling (608) 224-4939 or (800) 422-7128. If the landlord never made the promise in writing, then you should send the agency copies of your letters to the landlord referring to the landlord's verbal promise. Your letters may be good evidence, especially if the landlord never wrote back to deny the promise was made.

### Reference:

Landlord-tenant relations in Wisconsin are regulated by Chapter 704, Wisconsin Statutes, and by Chapter ATCP 134, Wis. Adm. Code. In addition, Chapter ATCP, Wis. Adm. Code, further regulates mobile home park operator-tenant relations.

<https://datcp.wi.gov/Pages/Publications/LandlordTenantGuide.aspx>  
<https://www.tenantresourcecenter.org/repairs>