

WISCONSIN LANDLORD-TENANT LAW FOR DOMESTIC VIOLENCE VICTIMS

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NOTE: Special rules protecting residents of subsidized, public, and low-income housing have additional rights under federal law. Tenants in mobile home parks have special rights under state law. These special protections are not covered in this fact sheet.

For further information about landlord-tenant law in Wisconsin, please see Legal Action of Wisconsin's [Tenant Sourcebook](http://www.badgerlaw.net/Data/DocumentLibrary/Documents/1222180572.65) (<http://www.badgerlaw.net/Data/DocumentLibrary/Documents/1222180572.65>).

Discrimination	Wis. Stat. §106.50- landlords can't discriminate in renting or selling property on basis of sex, marital status, sexual orientation, color, race, disability, religion, national origin, ancestry, lawful source of income, family status, age, victim of domestic abuse, sexual assault, or stalking
Lease Agreements	<p>Wis. Admin. Code DATCP § 134.03- a landlord must give a tenant an opportunity to read the lease before signing it and must give the tenant a copy of the lease</p> <p>Wis. Stat. §704.14- a lease shall include a Notice of Domestic Abuse Protections section in the agreement or an addendum to the agreement. Under Wis. Stat. §704.44(10), failure to include this Notice in the agreement or addendum may make the lease void and unenforceable.</p> <p>Wis. Stat. §704.44(10), 704.14- if the lease allows the landlord to terminate the tenancy of a tenant for a crime committed in relation to the rental property, then the lease must have a specific "Notice of Domestic Abuse Protections" section.</p>
Breaking a Lease or Rental Agreement Early due to Domestic Abuse	<p>Wis. Stat. §704.16- you may be able to terminate your rental agreement early if:</p> <ul style="list-style-type: none">- you or your child faces an imminent threat of serious physical harm from another person if you continue to reside in your apartment; AND- you can provide your landlord with a certified copy of ONE of the following:<ul style="list-style-type: none">o domestic abuse injunction against the person who poses serious physical harm;o child abuse injunction protecting tenant's child from the person who poses serious physical harm;o harassment injunction based on a sexual assault or stalking allegation against the person who poses serious physical harm;o bail condition ordering person who poses serious physical harm not to contact tenant;

	<ul style="list-style-type: none"> ○ criminal complaint alleging the person who poses serious physical harm has sexually assaulted or stalked tenant or tenant's child; OR ○ criminal complaint alleging the person who poses serious physical harm has been arrested for committing domestic violence. <p>A tenant in this situation should provide her landlord with written notice of her intent to terminate the lease early and a certified copy of one of the above documents. If the tenant provides proper notice to the landlord, the tenant should only have to pay rent for the month the tenant gives the landlord notice and the following month.</p>
Defense Against Eviction	<p>Wis. Stat. §106.50(5m)(dm) provides domestic abuse victims with a defense to an eviction action if the tenant can prove that the landlord knew, or should have known, the tenant is a victim of domestic abuse, sexual assault, or stalking and that the eviction action is based on conduct related to domestic abuse, sexual assault, or stalking committed by either of the following:</p> <ul style="list-style-type: none"> (a) a person who was not the tenant's invited guest. (b) A person who was the tenant's invited guest, but the tenant has done either of the following: <ul style="list-style-type: none"> 1. Sought an injunction barring the person from the premises. 2. Provided a written statement to the landlord stating that the person will no longer be an invited guest of the tenant and the tenant has not subsequently invited the person to be the tenant's guest.
Unlawful or "Self-Help" Evictions	<p>Wis. Admin. Code DATCP §134.09(7) prohibits landlords from evicting a tenant without going through the eviction process. Three common types of "self-help" evictions, all of which are illegal in Wisconsin, are:</p> <ul style="list-style-type: none"> - Lock-outs- a landlord changes the outside locks to the property when no one is home so the tenant cannot reenter the property; - Open-ups- a landlord removes the doors and/or windows of the property, making the tenant's belongings at risk of theft and preventing the property from proper heating/cooling; - Utility shut-offs- the landlord shuts off electricity, water, and/or heat to the property.