



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 281
[2005 Assembly Bill 291]

**Notice That Rental Property is a
Public Nuisance**

Under current law, the law enforcement agency of a city, town, or village may provide notice to the owner of rental property within its jurisdiction that a rental unit they own is a nuisance because it is being used for either of the following purposes:

- To facilitate the delivery, distribution, or manufacture of a controlled substance; or
- To facilitate the activities of a criminal gang.

A property owner who receives this type of notice may terminate the tenancy of the tenant at the property by giving the tenant written notice requiring the tenant to vacate on or before a date at least five days after the giving of the notice.

Current law provides that no lawsuit may be brought against any city, town, or village or any governmental subdivision or agency, officer, official, agent, or employee of a city, town, or village who, in good faith, acts or fails to act to provide a notice to a property owner that a rental unit is a public nuisance.

Act 281 adds the following to the list of governmental entities that may give notice to a property owner that a rental unit is a nuisance:

- Any law enforcement agency of the state or of a political subdivision of the state.
- The office of any district attorney.

The Act also provides that all the provisions regarding immunity from lawsuit described above also apply to these governmental entities.

Effective Date: The Act took effect on April 20, 2006.

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April 26, 2006

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.