

# Assembly Hearing Slip

(Please print plainly)

Date: 8/23/01  
Bill No. LRB 2925

Or Subject \_\_\_\_\_

Name Patti Seger  
Street Address or Route Number 307 S Peterson  
City and Zip Code Madison 53703

Representing WE Coalition Against Domestic Violence

Speaking in favor:	<input type="checkbox"/>
Speaking against:	<input checked="" type="checkbox"/>
Registering in favor:	<input type="checkbox"/>
Registering against:	<input type="checkbox"/>
Speaking for information only:	<input type="checkbox"/>
Neither for nor against:	<input type="checkbox"/>

Please promptly return this slip to the messenger at the committee.

Provided by:  
Assembly Sergeant at Arms  
411 West, State Capitol  
Madison, WI 53708

# Assembly Hearing Slip

(Please print plainly)

Date: 8/23/01  
Bill No. \_\_\_\_\_

Or Subject \_\_\_\_\_

Name Megh Hicks  
Street Address or Route Number 126 Division St  
City and Zip Code Madison 53704

Representing SELF

Speaking in favor:	<input type="checkbox"/>
Speaking against:	<input checked="" type="checkbox"/>
Registering in favor:	<input type="checkbox"/>
Registering against:	<input type="checkbox"/>
Speaking for information only:	<input type="checkbox"/>
Neither for nor against:	<input type="checkbox"/>

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Madison, WI 53708

# Assembly Hearing Slip

(Please print plainly)

Date: 8/24/01  
Bill No. LRB 2925

Or Subject \_\_\_\_\_

Name Bob Andersen  
Street Address or Route Number 31 S. Mills  
City and Zip Code Madison WI

Representing Legal Action of Wisconsin

Speaking in favor:	<input type="checkbox"/>
Speaking against:	<input checked="" type="checkbox"/>
Registering in favor:	<input type="checkbox"/>
Registering against:	<input type="checkbox"/>
Speaking for information only:	<input type="checkbox"/>
Neither for nor against:	<input type="checkbox"/>

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Madison, WI 53708

# Assembly Hearing Slip

(Please print plainly)

Date: Aug 23, 2001

Bill No. LRB 2925

Subject \_\_\_\_\_

Name Kelly McDowea

Street Address or Route Number 15 N. Pinckney Street

City and Zip Code Madison, WI 53703

Representing \_\_\_\_\_

Speaking in favor:	<input type="checkbox"/>
Speaking against:	<input type="checkbox"/>
Registering in favor:	<input checked="" type="checkbox"/>
Registering against:	<input type="checkbox"/>
Speaking for information only:	<input type="checkbox"/>
Neither for nor against:	<input type="checkbox"/>

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Madison, WI 53708

# Assembly Hearing Slip

(Please print plainly)

Date: 8-21-01

Bill No. AB 208 2925

Or Subject \_\_\_\_\_

Name EO Hudc

Street Address or Route Number 14 W. Madison

City and Zip Code MADISON, WI

Representing WI Alliance of Cities

Speaking in favor:	<input type="checkbox"/>
Speaking against:	<input type="checkbox"/>
Registering in favor:	<input checked="" type="checkbox"/>
Registering against:	<input type="checkbox"/>
Speaking for information only:	<input type="checkbox"/>
Neither for nor against:	<input type="checkbox"/>



*Pending minor concerns*

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Madison, WI 53708

Bob Anderson

Vague - what threats are injunctions improvement

Problems relate to

allows for eviction of one or the other.

99% of evictions that apply to everyone in a Unit.

Shenffe will do nothing or evict everyone.

They don't look at property.

eviction is an action of returning property to landlord

etc. . . . .

Author is commended for identifying

Court orders don't always remove the person in a harassment action.

Harassment Actions Covers Stalkers.

Prudent on lease | Property not divided by Sheriff

Victim of a Stalker

Landlord can act a restraining

## Johnnie Monistatun

Liability on the side  
of the landlord  
for Alcohol  
being sold -  
Tenant responsible  
for his Actions.

## Monio Tatum

What is the practice  
How is property retrieved -  
- Court sends up a time

Bob Dennis

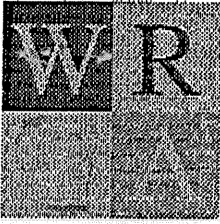
Ongoing Fights among  
Neighboring tenants

Don't make anyone feel  
Safe

Dogs Roaming

Elderly Abuse

Keep rental housing safe.



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 608-241-2047 • 800-279-1972  
 Fax: 608-241-2901  
 E-mail: wra@wra.org  
 Web site: http://www.wra.org

## FAX COVER SHEET

Please deliver the following page(s):

Pages including cover: 2

TO: Martha H.

FROM: Joe M.

Company: \_\_\_\_\_

Company: Wisconsin REALTORS® Association

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Fax: \_\_\_\_\_

Date: 8/22/01

E-Mail: \_\_\_\_\_

**Comments:**

Martha:  
 Our thoughts re: the ~~tenure~~ ~~salary~~  
 bill.

If you do not receive all of the pages, or have other problems with this fax, please call us at the phone number listed above.

### For Your Information

<u>Date</u>	<u>Calendar Event</u>	<u>Place</u>	<u>Date</u>	<u>Calendar Event</u>	<u>Place</u>
April 4	CE 3 & 4 (2001-2002)	Madison	May 21-24	36 Hour Broker	Milwaukee
April 4-5	Buyer Agency (ABR)	Appleton	July 9-12; 16-17	Prelcense Sales	Madison
April 23-24	Quickstrat 3 & 4	Madison	July 26-27	Quickstart 1 & 2	Milwaukee
April 25	CE 1 & 2 (2001-2002)	Madison	August 2-3	Quickstart 3 & 4	Milwaukee
Apr 30, May 1-3; 7-10	Prelcense Sales	Madison	August 6-10	GRI Equivalency	Statewide
May 9	Realtor & Govt Day	Madison	August 13-14	Quickstart 1 & 2	Madison
			August 27-28	Quickstart 3 & 4	Madison

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This legislation attempts to provide additional grounds for a landlord to use as a basis for simply giving a tenant a 5-day notice to quit the premises. These additional grounds have been inserted in the statute, which is now used for situations when law enforcement agencies give landlords notice that there is drug or criminal gang activity on the premises. In these cases we have a third party – the law enforcement agency – making the determination that the tenant has committed some act that would warrant the landlord terminating the tenancy.

There seem to be three categories of additional circumstances where the landlord is to be given this power:

1. If a cop comes to the beer party and issues a citation: if the tenant received a citation from a law enforcement officer for a violation of Wis. Stat. § 125.04(1) for an act that occurred in the rental unit or property. Wis. Stat. § 125.04(1) provides: "License or permit; when required. No person may sell, manufacture, rectify, brew or engage in any other activity for which this chapter provides a license, permit, or other type of authorization without holding the appropriate license, permit or authorization issued under this chapter."

This would seem to potentially cover a broad range of activities. If they have a party and the cops come and issue a citation, the landlord can get the tenant out with a 5-day notice, no second chances.

How does the landlord know that there is a citation and how does he or she prove it if the tenant challenges in court?

2. Landlord seeks an injunction against one tenant who is harassing another tenant. Why should the landlord undertake this responsibility? Might this create a new duty for landlords to seek injunctions every time a tenant says they are being harassed or threatened? We assume that the intent is to help protect landlords from liability, but might it not have the opposite effect?

*Need this change* (circled) Add language that states that this statute does not create a duty for property owners to seek an injunction on behalf of third parties.

3. Tenant has injunction against another tenant. This may be based upon domestic abuse, child abuse, harassment of a vulnerable adult (elderly, frail, disabled, etc.), or harassment.

In all of these cases, an attempt is made to have an authority such as the police or a judge make the determination that the tenant has misbehaved. The drinking citation or the harassment injunction is intended to be the objective proof. This is better than asking a landlord to make this judgment him or herself – too much room for abuse.

Grammatical confusion. On page 2, line 6; page 3, line 8; and page 4, line 8 the punctuation may be in need of attention. It is confusing as to whether the landlord gives the tenant the five-day notice only if one tenant has an injunction against another tenant, or in all of the circumstances listed beforehand. We obviously know what is intended but wonder does the statute need to be restructured or reorganized to eliminate any possible confusion or misunderstanding.

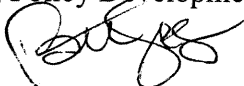
ATTN CRAIG

July 23, 2001

Testimony on LRB 2925  
Assembly Housing Committee

TO: Housing Committee Members

FROM: Patti Seger, Policy Development Coordinator, Wisconsin Coalition Against Domestic Violence



The Wisconsin Coalition Against Domestic Violence (WCADV) is a statewide membership organization of battered women, formerly battered women, domestic abuse programs and individuals committed to ending domestic violence. Thank you for the opportunity to speak to you about LRB 2925 today on behalf of the Coalition.

WCADV opposes LRB 2925. Although this bill appears on its face to provide some safety to victims of domestic violence whom are awarded a domestic abuse injunction, there is a high potential for unintended negative consequences to occur should this bill become law. On one level, this bill is unnecessary if its intent is to remove from tenancy any person against whom another tenant has a restraining order. The issuance of the restraining order will already guarantee that the respondent to the order can no longer reside in the residence with the alleged victim. Despite what appears to be a duplicitous law in this regard, it is the many unintended consequences that could result from passage of this law that is cause for opposition.

Many domestic violence victims choose to seek a restraining order to terminate violent relationships. Many others do not seek this relief for reasons that are uniquely their own. Victims of abuse should be allowed to determine the best and safest way and time to end the relationship. Intervention can sometimes escalate violence rather than end it. This bill will allow landlords to seek restraining orders against the abusive partner if the victim of the abuse does not choose this recourse. Unfortunately, we have all come to recognize that the presence of a restraining order does not end the violence, particularly if the abusing party is not law-abiding or feels above-the-law. Having a restraining order and subsequent eviction imposed could cause some batterers to escalate rapidly and may lead to even further violence.

Additionally, landlords may file injunctions against the victims themselves, either because the victim will not willfully terminate the relationship or because the abuser may stalk the victim at the residence once the relationship has ended. Some landlords may see the victim as part of the problem and may believe that the victim's continued tenancy endangers the other residents. We recognize that this is not the intent of this proposed





law, however, experience has repeatedly demonstrated that society still holds victims of domestic violence responsible for the abusive conduct of their partners. The termination of tenancy of a victim of abuse would be particularly egregious, especially for women living in poverty or women of color. Landlords in some communities are already reluctant to rent to poor women or people of color. They will be even more reluctant to rent to a victim of domestic violence who has been evicted from her last apartment. When this happens, the obstacles for these women to overcome are multiplied.

Thank you once again for considering my comments on behalf of WCADV today.