



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2011 Wisconsin Act 108
[2011 Senate Bill 107]

**Prohibiting Ordinances that Place
Certain Limits or Requirements on
a Residential Landlord**

2011 Wisconsin Act 108 (Act 108) prohibits a city, village, town, or county from enacting an ordinance that does any of the following:

- Places the following limitations on a residential landlord:
 - Prohibits a landlord from, or places limitations on a landlord with respect to, obtaining and using or attempting to use any of the following information with respect to a tenant or prospective tenant: (1) monthly household income; (2) occupation; (3) rental history; (4) credit information; (5) court records, including arrest and conviction records, to which there is public access; and (6) Social Security number or other proof of identity.
 - Limits how far back in time a prospective tenant's credit information, conviction record, or previous housing may be taken into account by a landlord.
 - Prohibits a landlord from, or places limitations on a landlord with respect to, entering into a rental agreement (oral or written) for a premises with a prospective tenant during the tenancy of the current tenant of the premises.
- Places requirements on a residential landlord with respect to security deposits or earnest money or pretenancy or posttenancy inspections that are additional to the requirements under administrative rules related to residential rental practices.

Under Act 108, any ordinance in effect on December 20, 2011 (the effective date of Act 108), that is inconsistent with the Act does not apply to a residential landlord and may not be enforced.

Effective date: 2011 Wisconsin Act 108 takes effect on December 20, 2011.

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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/>.