



City of Madison

City of Madison
Madison, WI 53703
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Master

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File Name: Prohibit Retaliation

Final Action:

Title: Amending Section 32.15 of the Madison General Ordinances, relating to expanding prohibitions on retaliation against tenants.

Notes: 6609ProhibitRetaliation

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History of Legislative File

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1	Attorney's Office	09/15/2022	Referred for Introduction				
Action Text: This Ordinance was Referred for Introduction							
Notes: Landlord Tenant Issues Committee (10/20/22); Common Council (11/1/22)							

Text of Legislative File 73770

Fiscal Note

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Title

Amending Section 32.15 of the Madison General Ordinances, relating to expanding prohibitions on retaliation against tenants.

Body

DRAFTER'S ANALYSIS: This ordinance amends Section 32.15 Madison General Ordinances so that it includes provisions in that Ordinance that are already provided in Section 32.04(8) Madison General Ordinances, which applies to retaliation by the landlord during the Rent Abatement process. Section 32.15 MGO currently applies to landlord retaliation for a tenant having complained about a violation of Secs. 32.05, 32.07, 32.11, 32.12 or 32.13 of Madison General Ordinances. This amendment expands Section 32.15 MGO to cover retaliation for

tenant complaints to the Building Inspection Division of the Department of Planning and Community and Economic Development or Public Health Madison and Dane County or to any state or local investigatory or enforcement agency of violations of Chapters 7, 18, 19, 27, 28, 29, 30 or 32 of the Madison General Ordinances or for retaliation related to the tenant complying with those sections.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 32.15 entitled "Retaliation Prohibited" of the Madison General Ordinances is amended as follows:

"(1) No person or tenant shall be retaliated against for complaining ~~of violations of Secs. 32.05, 32.07, 32.11, 32.12 or 32.13 of the Madison General Ordinances to the landlord, or to the Building Inspection Division of the Department of Planning and Community and Economic Development or Public Health Madison and Dane County or to any state or local investigatory or enforcement agency of violations of Chapters 7, 18, 19, 27, 28, 29, 30 or 32 of the Madison General Ordinances or their statutory or administrative code equivalents,~~ or for complying with those sections.

(2) Retaliation shall include, but not be limited to, eviction, inconsistent rent payment increases, failure to perform promised repairs, refusal to renew a lease or other harassment of the tenant committed by the landlord or his or her agents, or threatening any of the preceding. Any such acts shall be presumed to be retaliatory if committed within six months after the tenant has complained to the landlord or to the Building Inspection Division of the Department of Planning and Community and Economic Development or Public Health Madison and Dane County or to any state or local investigatory or enforcement agency of violations of Secs. 32.05, 32.07, 32.11, 32.12 or 32.13 Chapters 7, 18, 19, 27, 28, 29, 30 or 32 of the Madison General Ordinances or their statutory or administrative code equivalents. In order to overcome the presumption that such acts are retaliatory, the landlord must show by a preponderance of evidence that such acts were based upon good cause, as that term is used in this Chapter.