

Self-Help Repairs



Photo by Sidney Pearce on Unsplash

areas that need fixing. If the owner agrees to start repairs but does not do much in 30 days, you can start the planned repairs.

To start the work:

1. Make sure you get all the permits you need first by calling 608-266-4551.
2. Get lien waivers from contractors. Ask your inspector for this document.

Paying Less Rent

When your rent is due, give the owner copies of all the repair receipts. You can subtract that cost from the rent due that month. If the repairs cost more than the rent, you can pay less the next month too until you get to the total dollar amount.

NOTE: If the owner says in a letter that they disagree with your repairs, you must go through Rent Abatement. Do not reduce your rent if the owner disagrees.

Eviction Warning

The owner of your dwelling can't evict you because you let them know you're going to do self-help repairs. Please note that if you are behind on rent or breaking a rule of your lease, your landlord can legally evict you.

What is the program?

Through Madison General Ordinance (MGO) 32.17 you, the tenant, can make repairs to your dwelling. You can then take that cost out of your rent if:

- You're fixing items that Building Inspection ordered the owner to fix.
- The owner didn't fix the items and they're more than 10 days past the BI deadline.

Pre-Process: Let the Owner Know

Before starting, you must tell the owner that you're making repairs. Send the notice to the owner by first-class, return-receipt mail.

Include:

1. Your name and a sentence that says you're making repairs.
2. The name(s) of who's doing the work. Only people with the right license(s) can make repairs.
3. A list of what you'll be fixing – you can only fix things that Building

Inspection told the owner to fix. If you're not sure, call your inspector.

4. The start date for repairs. You have to wait at least ten days after mailing the letter.

5. If you're doing the work, an estimate of how many hours it'll take to finish.

Starting the Work

If the owner doesn't start repairs after ten (10) days of you mailing the letter, you can start the work.

If the owner says they'll do repairs, you need to give them access to the

For More Information



City of Madison
Building Inspection Division
215 Martin Luther King Jr. Blvd.
P.O. Box 2984
Madison, WI 53701-2984
(608) 266-4551; Fax: (608) 266-6377
[www.cityofmadison.com/developmentcenter/
bldginspect@cityofmadison.com](http://www.cityofmadison.com/developmentcenter/bldginspect@cityofmadison.com)

Rent Recoup

What is Rent Abatement?

Rent Abatement is a way for tenants to apply to temporarily reduce their rent. A tenant becomes eligible when an owner fails to fix code violations by the due date(s). Due dates are set in the notices we send out after inspections.

For Tenants

When you're able to apply, we will mail you a notice. Call us at (608) 266-4551 and our staff will schedule a hearing.

At the hearing, you will describe how the unfixed items have caused problems for you and your family.

You can bring witnesses and any evidence you have.

Your landlord will also be invited to the hearing.

If you do not show up to the hearing, you will not recoup rent. **We cannot reschedule no-shows.**



Photo by Emma Frances Logan on Unsplash



For Property Owners

Prevention. You can avoid Rent Abatement claims by repairing items on an Official Notice by our deadline.

A deadline extension won't stop rent abatement claims.

Abatement Hearing. If your tenant applies for abatement, we'll mail you a notice at least 10 days before the hearing. We'll include:

1. The tenant's application
2. The Official Notice

To counter abatement, you will need to prove that the tenant caused the code violations. Otherwise, you will need to prove that the tenant did not give you access to the unit to make repairs.

If you do not show up for the hearing, the hearing examiner will grant abatement based on the tenant's evidence. We will not be able to reschedule.

Case Decision. The examiner has 20 days to decide if the tenant should be able to recoup a portion of rent from the property owner.

Tenants can't discount from their rent until the hearing examiner makes a decision.

Within 10 days of receiving the decision, either party can file a petition to appeal the results. **You may only appeal if there are factual errors in the decision.**

Community Resources

Tenant Resource Center
(608) 257-0006

Legal Action of Wisconsin
(608) 265-3304

Call (608) 266-4551 if you need an interpreter.

Llama al (608) 266-4551 si necesitas un intérprete.

TTY/TEXTNET: 1-866-704-2318

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