

Self-Help Repairs



agrees to start repairs but doesn't 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.
3. Call Building Inspection for a reinspection. The inspector will have to approve the items.

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 sends a letter saying they don't agree with your repairs, you can't pay less rent until going through the Rent Abatement process.

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. The diagram below shows these height and placement requirements.

What is the program?

Through Madison General Ordinance (MGO) 32.17 you, the tenant, can make repairs to your dwelling and 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 licenses 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 (10) days after mailing this 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 areas that need fixing. If the owner

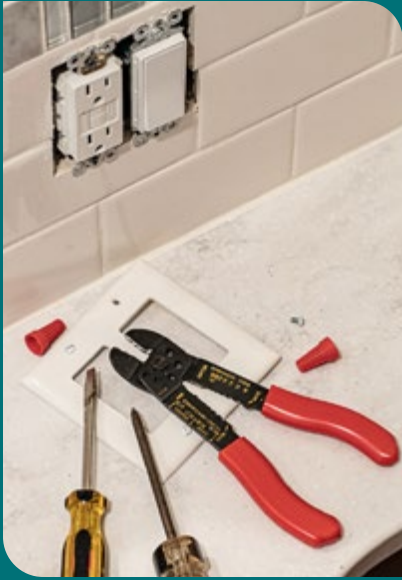
For More Information



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)



What is Rent Abatement?

Rent abatement (RA) is a program outlined by Madison General Ordinances Ch. 32.04. RA lets tenant recoup rent for certain uncorrected code violations in their dwelling.

For Tenants

When you are eligible, we will contact you to ask for your rent amount. Once we have your rent amount, we will mail your Default Award. The default award uses the highest percentage on the Schedule of Rent Impairing violations.

You can schedule a hearing if:

- The issues started at an earlier date than our first inspection. You will need to provide evidence.
- The code violation disproportionately affects your household because of health issues, disabilities, family structure, etc.
- There are other code violations that you believe should qualify for RA. Items must have significantly limited your use of the space.

Call us at (608) 266-4551 ext. 4 to schedule a hearing. Housing providers can also schedule a hearing.

At the hearing, you may describe how the code issues have affected your use of the space. You can bring witnesses and provide evidence. Your housing provider will also be invited to the hearing.

For Housing Providers

Prevent. You can avoid Rent Abatement claims by following Building Inspection orders. You must repair items on the Official Notice and call for an inspection before the due date. A deadline extension will not stop RA claims.

Default Abatement. Once a tenant contacts us with their rent amount, we mail out the Default RA award. You must repay the tenant this amount. If the tenant's lease is in effect, they will pay less or no rent until reaching the abatement award amount. If the tenant's lease has ended, you must pay the tenant their award amount within 15 days of receiving this letter.

You have 30 days to schedule a hearing to contest the award. Call us at (608) 266-4551 ext. 4 to schedule.

Housing providers may schedule a hearing if:

- There are inaccuracies in the award letter.
- The tenants caused the violation(s).
- The tenants unreasonably refused entry for repair.
- Other extenuating circumstances.

Tenants may attend the hearing.

Hearing no-shows

If you do not show up to the hearing, you **WILL NOT** be able to:

- Give testimony in response to claims the other party makes.
- Provide evidence afterward.
- Reschedule, without contacting us before the hearing.

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

Case Decision

At the hearing, the hearing examiner will hear testimony and consider evidence. They will decide if the award should be higher, lower, or the same as the default award. Building Inspection will mail the award within 20 days.

Parties have up to 10 days after receiving the decision to contest the award based on factual errors.

Retaliation

Tenants have a right to call Building Inspection and collect rent abatement. Housing providers may not retaliate against a tenant for exercising their rights.

Retaliation can take many forms. If you are experiencing retaliation, please submit a complaint in writing. For details, visit www.cityofmadison.com/bi/retaliation.