
TENANT RIGHTS

- It is unlawful to evict a tenant in retaliation for reporting housing code violations.
- Tenants are entitled to at least 12 hours notice for proposed entry by the landlord.

TENANT RESPONSIBILITIES

- Maintenance and care of the property.
- Contact the owner whenever there is a problem.
- Allow a reasonable amount of time and access to the owner to complete any required repairs.
- Pay the rent on time.

RENT WITHHOLDING PROGRAM

The Rent Withholding Program allows tenants to pay their monthly rent directly to the City when a landlord has failed to comply with previously issued housing orders. A tenant is not eligible for the program if:

- The only violations are certain exterior repairs during the winter months.
- The rent is unpaid past the due date.
- The tenant is served an eviction notice prior to the deposit of rent funds with the City.
- A five-day quit or pay notice is served and the rent is not paid prior to its expiration.
- The housing violation was caused by an act of the tenant or guest under the tenant's control.

INSPECTOR ASSISTANCE

If you have any questions or do not understand the *Order To Repair*, or need other help-**CALL YOUR INSPECTOR!** City Inspectors cannot help if they do not know about your concerns or questions.

ADDITIONAL ASSISTANCE

- Health Department 262.605.6700
Trash, debris, and animal feces in yards
Lead-safe work practices
- Public Works 262.653.4050
Bulk pick-up, bulk drop-off dump permits, public sidewalks and approach permits, garbage, and recycling curb service
- Police Department 262.656.1234
Junk vehicles, vehicles parked in front yards
- Consumer Protection 1.800.422.7128
Tenant/landlord problems
- Legal Action of Wisconsin 1.800.242.5840
Landlord/tenant assistance
Legal counseling/services

**For more information contact:
City of Kenosha
Department of Community
Development and Inspections
625 52nd Street, Room 100
Kenosha, WI 53140
262.653.4263**

Code Enforcement in the City of Kenosha

A Guide for Property Owners and Tenants

City of Kenosha
Community Development and Inspections
625 52nd Street, Room 100
Kenosha, WI 53140
262.653.4263

INSPECTIONS

The City of Kenosha inspects residential and commercial properties for the following reasons:

- Complaints. A complaint is made by a tenant, a neighbor, or a public official concerning a property.
- Targeted. The City regularly conducts exterior inspections of every property in a targeted area as part of its Neighborhood Inspection Program.
- Licenses and Permits. Lodging houses, manufactured home parks, and occupancy permits.

COMPLAINTS

Anyone concerned about the condition of a property or structure may file a complaint with the Department of Community Development and Inspections.

- Exterior complaints shall be filed in person or in writing.
- Interior complaints may be filed over the telephone.
- All complainants must provide their name, address, and phone number in order for the City to accept the complaint.

ORDERS

If an inspection reveals a violation, an *Order To Repair* will be issued to the property owner/occupant.

- The orders will be posted on the property and mailed to the property owner/occupant.
 - The orders will state every violation and the timeframe for completion.
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- City policy requires all repairs be completed within 30 days.
 - The property maintenance inspector may require less time for health/safety repairs and may allow more time for exterior repairs late in the year.
 - The property owner is ultimately responsible for all repairs.

APPEALS

Property owners/occupants may appeal any *Order To Repair* issued by a property maintenance inspector.

- The petitioner must submit an appeal form, provide a written statement supporting their appeal, and pay a \$25 processing fee within 20 days of receiving an *Order To Repair*.
- The appeal will be submitted to the Board of Housing Appeals at its monthly meeting.
- The Board of Housing Appeals shall sustain, modify or withdraw the orders to repair.

EXTENSIONS

The City may grant extensions on a case-by-case basis in accordance with its extension policy.

Extensions will be considered only if one or more of the following occurs:

- A substantial amount of work has already been completed.
 - The owner has kept the property maintenance inspector well informed with respect to his/her progress and/or plans.
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The owner submits a reasonable completion schedule to the Property Maintenance Inspector that identifies all the repairs necessary and the dates they will be completed.

The City may also grant extensions for exceptional circumstances, various legal proceedings or upon the advice of the City Attorney.

CITATIONS

If the repairs are not done, or not done in a timely manner, the City may issue a \$172 municipal citation for each violation. The owner/occupant will then proceed in the municipal court system.

The resolution of the citation in court does not relieve the owner/occupant of having to complete the orders to repair.

REINSPECTION FEES

If the repairs are not done, the City may also assess a \$72 reinspection fee. The fee increases with each inspection that shows no work has been done, up to a maximum \$360 charge. If the fee is not paid, it will be assessed against the property as a special assessment.

PERMITS

A building permit is required for:

- The construction or repair of decks, porches, handrails, and fences.
 - The building or razing of a garage or shed.
 - The repairing of electric, plumbing, or heating.
 - Any alterations that affect the structure of the building.
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