Getting Landlords to Do Repairs

Step 1: Make a List. Before contacting the landlord, make a list of the repair problems that need to be fixed.

Step 2: Contact the Landlord and Start a Paper Trail. Be sure to tell the landlord as soon as there is a problem. Some repair issues will get worse if not fixed right away. Give the landlord the list of the problems and a reasonable time limit to do the work. (This should be based on how urgent the issue is to you, and how long it might take to repair it). If you speak on the phone, be sure to follow up right away with a letter or e-mail saying what you talked about and keep copies of everything.

Step 3. Put it in Writing. Start keeping a log of all calls, with the times and dates of calls, who you talked to, and what you requested. This is important:
- Landlords often take things more seriously when they're in writing, and it might make the repairs faster.
- It is illegal for a landlord to retaliate against you for asserting your rights, (e.g., requesting repairs), in order to protect yourself, you need proof of the request.
- If the problem gets worse because the landlord won’t fix it, you shouldn't be charged for the extra damage.

Step 4. Get Serious. If your landlord does not contact you or make repairs quickly, write a letter or e-mail. Include a note to your landlord with your partial rent payment, explaining why you are abating rent.

Step 5: Option A: Rent Abatement (Outside of Madison, Flushing, and Milwaukee). Rent abatement is a partial rent credit, based on the severity of a repair issue the landlord won’t fix. It pays you back for the amount of time you couldn't use the apartment. The State of Wisconsin has guidelines for the maximum credit you can take. If you abate your own rent put your own rent for risk of eviction for nonpayment of rent, especially if there is another recommended method, such as in Milwaukee.

Here are some ways to improve your chances of successfully abating your rent:

1. Request Repairs Several Times in Writing Before Abating Rent. Give your landlord a reasonable amount of time to make the repairs. Let them know you may abate rent under Wis. Stat. 704.07 if they do not respond.

2. Request and Keep a Copy of Your Local Building Inspector or The Department Of Safety and Professional Services. Their report will provide a very important piece of evidence.

3. Deduct a Portion of Your Rent That Is Consistent With the Severity of the Repair Problem. To decide how much, consult the City of Madison rent abatement amounts as a guide and offer the lower end of the range to show good faith.

4. Keep Paying the Rest of Your Rent on Time! Include a note to your landlord with your partial rental payment, explaining why you are abating rent.

Step 6. Option B: Withhold Rent (City of Milwaukee Only). The City of Milwaukee has specific procedures which tenants must follow to withhold rent and not risk eviction.

• Perform minor maintenance such as changing light bulbs. Wis. Stat. 704.07(3)(a)
• Keep common areas such as hallways, storage areas, laundry rooms, parking lots, and yards in good condition.
• Maintain all supplied equipment, including all appliances. Wis. Stat. 704.07(3)(b)
• Keep your apartment clean and sanitary. If the building is occupied by one or more tenants, improper use or damage by one tenant does not relieve the landlord of the duty to maintain the premises for the other tenants in the building. Wis. Stat. 704.07(2)(a)
• Provide a working smoke detector on each floor including the basement. If a tenant gives written notice that a smoke detector is not working, the landlord must fix it within five days. Wis. Stat. 101.145
• Install and maintain carbon monoxide detectors in all new and most existing residential buildings. Wis. Stat. 101.149

Tenant Repair Responsibilities

• Keep heating, plumbing, electrical system, and building structure in good condition. Wis. Stat. 704.07(2)(b)
• Keep common areas such as hallways, storage areas, laundry rooms, parking lots, and yards in good condition.
• Maintain all supplied equipment, including all appliances. Wis. Stat. 704.07(3)(b)
• Keep thermostat set at a reasonable temperature during the heating season. Wis. Stat. 704.07(3)(a)
• Repair, or pay the landlord to repair, all damages caused by the tenant or their guests. Wis. Stat. 704.07(3)(a)
• Keep working batteries in smoke detectors and give written notice to the landlord if smoke detectors are not working properly. Wis. Stat. 101.45
Avoid Problems While Moving In

Document All Repair Problems Carefully

Call the Building Inspector

Inspect the rental unit you are considering, taking

No part of this brochure should be regarded as legal

Visit us at tenantresourcecenter.org

If you need an interpreter, materials in other formats, or accommodations of any kind, please call (608) 257-0143.

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