



Apartment Association of Southeastern Wisconsin

Advocating for Sustainable Rental Housing

E-mail: membership@AASEW.org

Website: www.aasew.org

Member Appreciation Night and New Membership Drive

The AASEW invites you to their August outdoor appreciation event.

Join AASEW president Mike Cottrell and the board of directors for an evening highlighting a YTD summary of what the association has accomplished, initiatives in the works, and a celebration of our Members.

Date: Wednesday, August 18, 2021

Time: 5:30 PM - 7:30 PM

Location: South Shore Terrace

2900 S Shore Dr.

Milwaukee, WI 53207

Cost: Members & 1 Guest: Free

(Investor & Prospective Member)

Non-Members: \$35

(Not attending as a guest of a member)



For event questions email admin@aasew.org or call 262 893 8691

Register Here!

AASEW Mission Statement: *"The Apartment Association of Southeastern Wisconsin is your primary resource for education, mutual support and legislative advocacy for the successful ownership and management of rental property."*

The Apartment Association of Southeastern Wisconsin Inc.

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How Apartments Have Prevailed During the Pandemic

By Karlin Conklin, www.multihousingnews.com

Earlier this year, a leading equity crowdfunding site conducted what's believed to be the largest-ever survey of individual real estate investors in order to gauge their appetite for investing in a pandemic. Despite the economic volatility, nearly all of the 1,240 investors surveyed (96 percent) plan to add commercial real estate to their portfolios in 2021.

Notably, a whopping 90 percent said they were likely to invest in multifamily. For comparison, less than half of investors expressed interest in office investments (47 percent), and even fewer were likely to consider retail (25 percent).

Given the challenges of the last 18 months, how has investor confidence in rental housing remained so strong? Multifamily was certainly not immune to the impacts of COVID-19, but it does have several strategic advantages.

Critical Piece of Infrastructure

The renter demographic was particularly vulnerable to the COVID-19 crisis. Congress moved quickly at the start of the pandemic to establish expanded unemployment benefits, stimulus checks, and nationwide eviction moratoriums in an effort to ensure that America's renters didn't lose their homes.

Investors took notice that the government was investing in housing as an integral part of a pandemic recovery strategy, unlike any other CRE asset class. Maintaining an affordable housing supply is a vital component of the American economy. As with any type of commercial real estate, multifamily investors take on risk. But historically, they've made a fair return on their investment.

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The ability to make a positive impact in the infrastructure of local neighborhoods and economies continues to win investors.

Hands-On Value Creation

Another winning quality is multifamily relatively low barriers to entry. Many apartment investors get their start in real estate purchasing a single-family home or duplex. New owners can then add value to their property through their time, expertise, and hard work. This “sweat equity” grows over time and results in a larger portfolio, increased returns and greater value appreciation.

But let’s be honest: Being a landlord isn’t easy in a good year. The pandemic ignited a boom in a sweat equity strategy known as multifamily syndication, where investors pool their money to purchase apartment communities, and a sponsor manages the property’s rehab business plan and oversees daily operations.

Favorable Leverage/Debt

Multifamily benefits from the most favorable financing treatment of all real estate asset classes, oftentimes receiving the most competitive interest rates and longest amortization periods.

This favorable environment is led by agency lenders, which were originally created to support housing stock. Freddie Mac was chartered by Congress in 1970 to keep money flowing to mortgage lenders in support of homeownership and rental housing. It, along with Fannie Mae, has the mission to provide liquidity, stability and affordability to the U.S. housing market.

When the pandemic hit, Congress recognized the role it and the agencies could play to enhance housing stability and keep renters in their homes. A critical component of the CARES act of 2020 helped multifamily borrowers with agency loans by providing a forbearance period at no penalty. Loan payments could be deferred by up to a year while property rents stabilized post-pandemic.

Because of this treatment in the CARES act, the multifamily industry weathered the worst of the pandemic.

History tells us that during recessions, multifamily housing production contracts moderately, rent declines are short lived, and vacancies only increase briefly and by modest amounts. Recent headlines reflect the same resiliency in these metrics in a pandemic slowdown. Looking ahead, investors will continue to inject funds into apartment assets as a winning bet to yield successful returns over the long-term.

Milwaukee Multifamily Market Posts Record Low Vacancies Heading Into Summer

By Gard Pecor, CoStar Analytics

Demand continues to outpace new supply in the Milwaukee apartment market, driving the overall vacancy rate to record lows. At just over 4% Milwaukee’s vacancy rate ranks as the lowest in the Midwest and one of the lowest across the country among the 50 largest markets.

With such low multifamily vacancies, demand formation is closely tied to new supply, and the steady construction activity over the past few years has limited potential demand figures locally. But as renters show resurgent interest in downtown living, construction activity has been picking up in the urban core. Developers have become increasingly active in downtown Milwaukee, where the number of units under construction equals roughly 6% of the existing inventory in the submarket, the highest of any submarket in the metropolitan area.

Most notably, the long-awaited Couture broke ground in the second quarter. The 44-story, 322-unit luxury tower will be just the third five-star apartment building in the downtown area and will be the tallest residential tower in the state when it’s completed in 2023.

14 Questions to Ask Before You Hire a General Contractor

By Erin Helle, www.biggerpockets.com



When looking to hire a contractor for your building or remodeling project, you may feel a little overwhelmed and unsure of how to guarantee they are now only legit but also the best at what they do.

Do you remember playing the game 20 Question as a kid? Hiring a contractor is similar. You have to use questions, deductive reasoning, creativity, and tact to ensure you are getting the most for your dollar (or a couple hundred thousand of them).

First, how do you find the right contractor to interview?

How to find the right contractor

Whether you are hiring a remodeler for a residential or commercial property project, the first thing you want to consider is a contractor's reputation.

- Do you know anyone who has hired them previously?
- What did previous clients say about their work and the value of it?
- Their reliability?
- Their communication and punctuality?

Having a friend or family member who can vouch for a contractor they have personally used is great, but you must check into their public reputation for yourself. This can easily be done online.

Once you have some confidence in their skills and competence, based on your investigation, it's time to get on the phone and start interviewing.

When you first meet them, don't hesitate to shoot the breeze a little bit.

It's nice to know about a contractor's family, their priorities, and what they like to do.

Only spend a few minutes doing this though, as you want to be respectful of their time, and good contractors are typically very busy. Once you've broken the ice, get right into the questions.

A good contractor understands how important your property and projects are and knows that you will have lots of questions. If they won't answer your questions, they are not your contractor. Run!

If they don't show up for your appointment or interview, do not give them a second chance. If they are 30 minutes late, they had better have a good reason. If it's acceptable to them to be late or not show up before you hire them, you can bet that this behavior will remain consistent or even get worse after you hire them.

When you meet a contractor, take note of their appearance and, if possible, the state of their vehicle. This can say a lot about a person's organization and attention to details. If there are fast food bags, empty water bottles, paperwork, and trash scattered everywhere, it seems likely that this is how your house is going to look if you choose to work with them.

It's essential to thoroughly vet your contractor in the interviewing process.

What to look for during your search

If you aren't careful about who you hire, it could cost you everything. Here are several tips to keep in mind for your initial search.

- **Get multiple estimates.** You want to make sure you initially get estimates from more than one contractor, preferably around three.
- **Go local.** If possible, local contractors are your best option because they will be more familiar with local building codes and will always be close by if you have to contact them for an emergency.
- **Check for proper licensing.** If unlicensed, they will not be able to pull necessary permits, which will mean that your buildings are not up to local building codes and will not pass inspections. Unfortunately, you would then be held financially responsible for the repairs to meet those codes. Licensing is essential!

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- **Check for warranties.** Warranties are great for both parties because they protect the contractor from having to come back for multiple repairs over a long period, and also ensure the homeowners that the work of the contractor will not be shoddy or sub-par. You want a warranty in writing.
- **Check their past work.** Look them up on the Better Business Bureau to check their reputation. You want a contractor with more than five years of experience, preferably. Ask for a list of references from their previous projects and follow up with these. You can also check their reputation and reviews on social media platforms or Yelp.
- **Utilize best payment practices.** Don't pay in cash or the full total upfront. Be wary of any contractor who demands either. An initial payment should be about a third of the estimated costs and should be given in the form of a check written to the company, not an individual.

Getting multiple estimates and carefully vetting your contractor may take some time, but at the end of the day, it is more than worth it for your peace of mind and your bank account.

Now that we've discussed a couple of tips to help you get your contractor, let's nail down some questions you will want to ask them.

Questions to ask during the interview

We have gathered a list of the best questions to ask a contractor during the interview process.

How many people work for you, and what is the structure of your company like?

This will tell you how large their organization is, which can be a good indication of how long they've been around and how well-established they are.

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It can also tell you what type of support they have. Having administrative personnel who help manage project schedules and billing, a project manager, assistant managers, and other support will likely make it easier for you to get in touch with the company when you need to. You won't have to worry about an individual being your single point of contact.

How long have you been running your own crew?

This question helps give you a better idea of how experienced they are at what they do and if they have a track record of being dependable over a long period. You may want to ask them about turnover on the crew as well. If they have to fire their framer every other week, you may have a hard time getting that part of your renovation done.

Are you licensed?

Definitely make sure their licenses are up to date and they are registered with the state you're in.

Are you insured?

This includes General Liability Insurance and Worker's Compensation. There is only one right answer to this question. Once they hopefully say yes, ask to see a copy of their policy.

Will you be using subcontractors on this project?

Ideally, the contractor can do the entire project with just their own team, whether for a residential property or a commercial real estate property. This allows the general contractor to have more control over the timeline and the budget.

If they have to sub-contract specific parts of the project out, then they cannot control, for example, this plumber or that painter's schedule.

Regardless, you need to make sure that each person conducting work is trained, licensed (if possible), and insured. While subcontractors aren't a red flag per se, they can create more work for you and also increase your timeline.

Have you ever had to declare bankruptcy or operate your company under a different name?

If they say yes, you will need to do a little more research to ensure they are not going to go bankrupt again. You also need to check on any previous companies as there is probably a reason they are not still in operation.

When you research and conduct interviews, it is not enough that they "pass the test." You need to answer two questions: Are they a good person? And can you work with them?

Once you have a good idea of the contractor's reputation and experience, you can start to figure out scheduling, timelines, communication, and organizational structure.

Have you ever had to deal with lawsuits?

Even though this question is delicate, you need to know the answer. This question consists of three parts.

- **Have you ever been sued?** A "yes" answer is not an immediate reason to cut off the interview then and there, but you'll want to dig a little deeper to find out what the suit was about, how it turned out, and how this contractor handled or responded to it.
- **Have you ever sued a client or filed mechanics lien against a property?** You need to understand the details. At the very least it will give you an indication of their transparency and character. You can always follow up with the public record.
- **Has your company ever had serious accidents that caused hospitalizations or injuries?** Again, it is okay if the answer is yes - accidents happen. What's important is how the contractor dealt with the situation and what they are continuing to do to ensure it doesn't happen again.

Will you agree to sign lien releases before I pay you?

This answer needs to be "yes".

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If your contractor does not want to sign a lien release to be paid, for any reason at all, their intentions are probably not what they should be.

How often do you communicate with your customers?

You need to get a sense of how often they will communicate with you. Will you get a daily report of progress or a weekly one?

It's important to ask them first, rather than leading them to answer what you want to hear. Their answers will quickly give you an understanding of their professionalism.

You could even offer to have them text you pictures of their progress in lieu of a daily call.

How do you clean up your job site?

Don't lead on this question by saying, "Do you clean

up your job site daily?" Instead, ask them what they do at the end of every job day.

If they give some kind of half-answer, then you might say, "Would it be an issue if I wanted my jobs sites cleaned up at the end of every day?" It's important to see what they say to your request, and then make your hiring decision based upon how they respond.

If the job site is a mess, it's a liability for you and also makes you look like a slob to passersby.

How many projects do you have going on right now?

If your contractor says they are juggling three jobs at once, they will likely not meet your deadlines.

Your next question should be, "How will you handle my job at the same time as those other three jobs?"

Your soft costs will start to eat up your profits every day if you have to wait for them as they juggle other jobs as well.

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What would our contract look like?

A lot of contractors don't even use contracts (believe it or not), so it's important to have this conversation at the beginning.

It's best to always draft the contract you use and ensure that everyone signs before work begins or any money is exchanged.

Not every contractor will be okay with this, but you need to have a lawyer review any contract before you sign it. If it is written by your contractor, it is to protect them, but not necessarily you.

Who would be at my house and when?

You need to ensure that no one is allowed access to your house if they have not had their background checked by the company.

Additionally, you want to ensure that there are only contractors working when you give them express permission and within the boundaries that you've laid out.

How and when would you like to be paid?

An upfront payment of 50% is not reasonable, no matter what they say. A fair amount to pay upfront is roughly 30% of the estimated costs. Make sure you both agree to and sign a predetermined payment schedule before the start of the job.

A good contractor has enough in reserve to cover expenses to get started but occasionally will need money for some materials. If this is the case, you can order the materials and have them delivered directly to you. This way, you have what you paid for.

You need to be able to work well with your contractor. At the end of the day (or project), you want this contractor to have respected your property; been open and honest; treated you fairly; and completed the job within budget, on time, and to your personal standards.

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If you find that you need to report a problem to a contractor, the Federal Trade Commission's "Consumer Information" webpage lists several options for you to do so.

However, you shouldn't have to worry about having to report a contractor if you properly vet them in the first place.

County Continues Rent Assistance, Adds Legal Help

By Graham Kilmer, www.urbanmilwaukee.com

Milwaukee County is continuing its rental assistance programs that began early in the pandemic as it continues to see a high demand from residents facing eviction.

In a recent report to the Milwaukee County Board of Supervisors, the county's Housing Division reported that it had spent down all the money allocated for rental assistance from the federal stimulus package passed in late December.

The county has contracted with the local non-profit Community Advocates since June 2020 to process rental assistance applications and disburse payments. The organization has used all \$6.7 million in rental assistance funds the county provided from its \$10.6 million Emergency Rental Assistance Program allocation.

In fact, the organization has provided so many rental assistance payments to county residents that it has a deficit on ERA funds.

Community Advocates provided \$2.6 million more rental assistance payments on top of its \$6.7 million allocation. This comes from the latest report out of the county's housing division on rental assistance efforts.

It did this with approval from the county, because the state provided the county with an additional \$12.6 million in ERA funds out of its own allocation, as

James Mathy, director of the Housing Division, told the County Board's Health Equity, Human Needs and Strategic Planning committee on June 14th.

The county also allocated \$2.25 million to the non-profit Hope House, to provide rental assistance and case management to renters that are already receiving assistance from the City of Milwaukee Housing Authority or the Milwaukee County Housing Authority.

There is a second round of funding under the federal ERA program, which the county is applying for. In May, the housing division sought to apply for and accept approximately \$8.4 million in ERA funds directly from the U.S. Treasury Department.

It's good news that Community Advocates has been effectively distributing the rental assistance funds, Mathy said. "The bad news is that shows you how much of a demand there is for individuals that are still facing eviction."

Renters themselves are noticing the massive demand for rental assistance. The Wisconsin Center for Investigative Journalism recently reported accounts from renters in Milwaukee that waited months to hear back about rental assistance applications, or to receive payments.

Mathy has repeatedly stressed the great demand for rental assistance in his reports to the county board.

The division estimates that the funds it has put into rental assistance have prevented as many as 8,500 evictions. But evictions in Milwaukee County continue, nonetheless.

These rental assistance payments are primarily going to households that "fall under extremely low income levels," Mathy said. The majority are also going Black residents and women that are the primary breadwinner in their household.

Community Advocates is still taking applications, Mathy said, and it will have funding for rental assistance through the summer and into the fall. The county is also hoping to receive even more funding from the state for rental assistance.

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“Our goal is to keep this program going,” Mathy said.

‘Right to Counsel’ During Eviction Proceedings

The county will soon roll out another program aimed at preventing evictions.

On Monday, County Executive David Crowley signed legislation funding a “Right to Counsel” pilot program for all county residents facing eviction. The resolution was sponsored by Supervisor Ryan Clancy.

“I’m thankful that this important right has the support of County Executive Crowley and I am excited to see the positive impact it will have on families and individuals,” Clancy said in a press release after the county executive signed his resolution. “When we prioritize spending on human needs, the effects are enormous and far-reaching.”

Beginning in September, low-income residents facing eviction will have access to representation by an attorney throughout the entire legal process.

The county is funding the initial program with more than \$916,000 in federal stimulus funding. The resolution authorizing the program, passed by the board, also states it will allocate an additional \$1.8 million to run the program through 2022 at a later date.

The United Way of Milwaukee has also pledged \$1.54 million over five years to contribute to the program.

“Eviction curtails access to safe, affordable housing from reputable landlords and perpetuates the cycle of poverty for generations,” the county executive said in a press release.

“Right to Counsel provides an additional resource for residents to maintain housing security and avoid the negative impacts of eviction.”

Treasury says \$1.5 billion distributed in rental assistance in June as eviction moratorium end looms

By Kristin Brown, www.cbsnews.com

With a federal ban on evictions scheduled to expire at the end of the month, the Treasury Department is set to announce Wednesday \$1.5 billion in rental assistance has been distributed across the country in the last month - more than in the last five months combined, according to an administration official.

States and cities have struggled to distribute funds to tenants and landlords, and the news comes as the White House is slated to hold its second eviction prevention summit later on Wednesday.

More than 11 millions Americans - 16% of renters - are still behind on their rent payments, according to analysis by the Center on Budget Policy and Priorities. In the early days of the pandemic, the Centers for Disease Control and Prevention implemented an eviction moratorium, but it's scheduled to expire on July 31, adding a sense of urgency for those who are eligible for assistance but have yet to receive it.

Congress approved more than \$46 billion in rental assistance between December and March for both tenants and landlords, but getting it into their hands has proved challenging.

Exact amounts renters and landlords can receive depend on their income and where they live, but renters could get enough to cover rent from as far back as March 13, 2020, unpaid utilities and even, in some cases, future rent.

However, many states and cities didn't have the infrastructure in place to distribute the funds, and struggled to piece together systems to dispense it. By the end of May, only a fraction of the money had gone out. Housing activists told CDS News earlier this month that further delays could lead to a historic wave of evictions in the coming months.

But the new Treasury Department data, obtained by CBS News, shows that more than \$1.5 billion in assistance was delivered to eligible households in the month of June alone - an 85% increase from the previous month, and nearly triple the amount distributed since April. Administration officials point to this as a pivotal sign of progress in the program and an indication that once local communities establish a system for handling the money, they're able to distribute it quickly.

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- Betty Williams



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AASEW OWNER Article Guidelines

Would you like to submit an article for publication in the AASEW newsletter?

Here are the current submission guidelines:

Deadline for all submissions is the first of each month.

The newsletter will be delivered electronically to the membership around the 10th of the month.

Limited print copies of the newsletter will be available at the General Membership Meeting following its publication.

We are happy to accept one article per author per newsletter.

Please keep the article to approximately 500 words in length.

Any edits made to an article (generally for length) will be approved by the contributor before it is published.

All articles must be properly attributed.

The Editorial Staff reserves the right to select articles that serve the membership, are timely, and are appropriate.

“One benefit of summer was that each day we had more light to read by”

- Jeannette Walls

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Both rents and home prices have skyrocketed in recent months, especially as the spread of the Delta variant has spooked markets and investors. Many states have implemented their own patchwork protection plans for vulnerable renters, either extending their own eviction moratoriums or improving legal access for tenants facing evictions. And administration officials say they recognize that the federal money still isn't flowing quickly enough in many places.

Wednesday's White House summit will convene over 2,000 local officials, landlord and tenant advocates, legal experts and other participants from 46 cities, according to a White House official, in an effort to answer questions and raise awareness about emergency rental assistance and eviction prevention strategies. Speakers are expected to include Milwaukee Mayor Tom Barrett and Louisville Mayor Greg Fischer, both of whom have led eviction prevention programs in their cities.

The CDC's eviction moratorium has been extended several times, but the July 31 expiration date is expected to be final. Administration officials say they hope the summit will give local officials, courts, legal advocates and community organizations a plan to prevent the deadline from turning into an eviction crisis.

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Landlords Review Options As Federal Eviction Moratorium Ends

By John Quinnies, Patch Staff, www.patch.com

Across Wisconsin - After four extensions and numerous challenges in court, the federal moratorium protecting Wisconsin renters from eviction during the pandemic is set to expire in just a few days.

The moratorium, issued by the Centers for Disease Control Prevention, officially ends July 31. The most recent extension was issued in June, and federal officials have indicated they have no plans to extend it again.

Days before the moratorium ends, landlords come together to discuss their options, and thousands of Wisconsin renters prepare for what's next.

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Millions Across U.S. Face Eviction

Days before the moratorium ends, more than 1.4 million Americans are saying it's very likely they'll be evicted from their homes in the next two months, according to the U.S. Census Bureau's Household Pulse Survey.

On top of that, about 4.9 million renters say they have no confidence in their ability to pay rent next month, while 7.4 million are still trying to catch up on rent payments.

While the federal government has funneled more than \$46 billion in assistance to the country's renters during the course of the pandemic, distributing that money has proved difficult. In some cases, the money never reached its intended recipients.

Ultimately, little has been done to curb an all - but - certain wave of eviction proceedings once the moratorium is lifted. Meanwhile, the White House is pushing state and municipal governments to do everything they can to stave off an eviction crisis.

"It's fundamentally the responsibility of state and local governments to get relief in the hands of renters and landlords," Susan Rice, director of the White House's Domestic Policy Council, said during an early July meeting.

Here's what's happening in Wisconsin as the end of the federal eviction moratorium draws near:

Anxiety Among Wisconsin Renters Is Moderate

Renters in Wisconsin share the same fears as others across the nation. Nearly 14,000 renters in our state are saying it's very likely they'll be evicted from their homes in the next two months.

Meanwhile, 32,000 renters say they have no confidence in their ability to pay rent next month and a further 77,889 are still trying to catch up on rent payments, according to the Census Bureau.

Evictions Could Spike Post - Moratorium

Perhaps unsurprisingly, evictions in Wisconsin and in other states across the country dropped in 2020, according to the Eviction Lab at Princeton University.

In a typical year, landlords file about 3.7 million eviction cases in court; however, from March to December 2020, eviction filings were down 65 percent in cities and states tracked by the Eviction Lab.

Eviction Lab data showed that filings after March 15, 2020, targeted the same communities and individuals who were most at risk of eviction prior to the pandemic.

Notably, Black renters received a disproportionate share of all eviction filings. While Black renters make up 22.8 percent of all renters tracked by the Eviction Lab, they were subject to 35.2 percent of all eviction filings between March 15 and Dec. 31.

Landlords From Southeastern Wisconsin Discuss Their Options

Landlords from around Wisconsin came together with community advocates in a virtual meeting Wednesday, held by the Apartment Association of Southeastern Wisconsin (AASEW), to discuss what they should do now that the eviction moratorium is over.

AASEW is a rental property owner trade group for southeastern Wisconsin. The group was founded in 1974 and provided education, legislative support and networking opportunities for landlords in southeastern Wisconsin, according to its website.

Advocates from Mediate Milwaukee, the Milwaukee Social Development Commission (SDC) and various lawyers told the virtual meeting's audience that there are numerous options other than eviction available to landlords.

"An alternative to running down the courthouse is mediation," Tim Ballering, one of the directors for AASEW, said.

Mediation is a process held by Mediate Milwaukee. The organization works to create a line of communication between landlords and tenants. The service helps create mutually beneficial methods of payment plans for tenants, and in the worst case scenario of eviction, it can help facilitate a smoother living transition for the tenant, according to Amy Koltz, the executive director for Mediate Milwaukee.

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Federal and state support for tenants is making its way to Wisconsin, albeit slowly.

Lasonda Buck, a rental assistance supervisor for the Milwaukee Social Development Commission said in the meeting that the SDC offers other options as well. The commission has helped 1200 renters so far, and intends to aid more in their payments to landlords as relief money comes in, Buck said in the meeting.

"If you work to get assistance, you are likely to be made whole," Ballering told the meeting.

Landlords that immediately evict will surely get the tenant out, but Ballering said that would do nothing to recoup the money lost — waiting for assistance could be a better solution, he said.

If the only issue is rent, landlords could seek help from the SDC, Community Advocates or use Mediate Milwaukee, Tristan Pettit, a landlord-tenant attorney said in the meeting. "Our hope is that most people can get these resolved," Pettit said.

If the tenant's issue is behavior, it's a separate issue. "Those are the sad cases we will have to pursue eviction," Pettit said in the meeting.

Pursuing eviction may not necessarily get anything done faster than pursuing assistance anyways.

According to Nick Toman, an attorney with the Legal Aid Society of Milwaukee, there's a backlog of eviction cases making their way through the county courthouse.

That backlog of cases and insufficient staffing could drag out eviction cases past the date landlords would have seen assistance, Toman said. "I have no idea how it's going to play out at the courthouse," Toman said.

What Renters Can Do

While the process of finding and securing aid varies across states, the Treasury Department has [published a list](#) of state, local and tribal government emergency rental-assistance programs to help people find relief.

The Consumer Financial Protection Bureau has also issued [guidance](#) for renters, landlords and homeowners.

For renters the bureau offers advice on paying rent and utilities, as well as talking to your landlord about a payment agreement. It also outlines what you can avoid eviction and goes through your rights as a tenant.

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How to Collect your Rent Despite the CDC Extension

By *Tim Ballering, AASEW Board Member*
www.justalandlord.com



Little should change with or without the CDC moratorium. It remains in the owners' and renters' best interest to work together to get the ERAP funding.

The only reason to evict for nonpayment at this time is if the renter refuses to apply for ERAP or does not qualify due to no loss of income.

If the renter is refusing to apply, send them to [Mediate Milwaukee](#) or call (414) 939-8800. If the renter refuses this as well, then eviction is probably the only option, but it should be a last option.

Remember that in Milwaukee County less than 2.4% of eviction judgments are paid within 5 years, less than 7/10ths of 1% within 18 months. So rushing to court only stops future losses, it seldom results in recovering past rent.

The current CDC order addresses this issue at page 14, explicitly permitting challenges to improper declarations.

Milwaukee County Court previously was requiring a motion hearing to challenge the declaration. With the new CDC order, and if owners state the challenge to the declaration in the initial pleading/complaint, the Court should hear the challenge without the extra delay of a motion hearing.

The new CDC order at page 14:

This Order does not preclude a landlord challenging the truthfulness of a tenant's, lessee's, or resident's declaration in court, as permitted under state or local law.



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One Milwaukee Landlord is Asking for Vaccine Status on Rental Applications

By Dawn Anastasi
AASEW Board Member



There was a [recent article on FOX6 News](#) that mentioned businesses that require COVID-19 vaccination. One interesting part of the article is that it highlighted a Milwaukee area landlord. Here is an excerpt from that article:

One Milwaukee landlord is asking for your vaccine status right on the rental application. And he says he'll be rewarding those who are vaccinated.

S2 Real Estate rents out 600 units in 100 buildings.

And it's a hot rental market. "There are very few apartments. There's not a lot of people moving around as much, right now. So when people come to apply, we have 20-30 applicants for a 1 bedroom," said Sam Stair of S2 Real Estate.

So he's using it to encourage vaccination.

"I really love Summerfest. I really love going to State Fair. And I really don't want another shutdown," said Stair.

Right on the rental application, Stair placed these lines to list Covid-19 vaccination. He says it could help move an applicant up the list, past the unvaccinated.

"I don't know if they are a protected class. I know that smokers are not a protected class. So if you are a smoker, some people can deny you," he said.

"It is voluntary for them to give us the information. We are not asking for medical information, like their health or their medical history. We are just asking if they got a vaccination," said Stair. "So a lot of times when people take their kids to a school district or something, they have to hand in their vaccination sheet, just to protect the other people."

Wisconsin's Fair Housing Law protects people from discrimination based on protected class. It's important as a landlord to be aware of Fair Housing Law and what the protected class categories are in WI. These are:

- Race
- Color
- Family Status or Marital Status
- Disability
- Sex
- National Origin or Ancestry
- Religion
- Source of Income (as long as its lawful income)
- Sexual Orientation
- Status as a Victim of Domestic Abuse, Sexual Assault or Stalking
- Age (being at least 18 years of age)

Here are some examples of violations of fair housing law:

- Writing "No Section 8 Accepted" in your rental ad
- Refusing to rent to a single parent
- Refusing to rent to a couple because they are not married
- Setting the rental price of a unit different for people with children versus those without
- Using the term "family friendly" in a rental ad

Violating Fair Housing Law can be costly. Tristan Pettit [gave an example of such a settlement in his blog](#):

In 2007, Soha Abdelrahman and her husband Hany Obrahim filed a lawsuit against their Tempe, Arizona apartment managers claiming discrimination based upon their Arabic race, Egyptian nationality and Muslim religion. The defendant in the lawsuit is Texas-based Hall Financial Group, Ltd., which manages rental properties in various states -- but no longer in Arizona.

The Arizona Attorney's General Office announced that Hall Financial Group agreed to pay a total of \$227,500 to settle the lawsuit. \$197,500 of the settlement amount will go to the tenants and \$30,000 will go to the Arizona AG's Office to enforce civil rights laws in Arizona.

The AASEW periodically holds a Landlord Bootcamp featuring Tristan Pettit. Some of the topics include:

- How to properly screen tenants
- How to draft written screening criteria to assist you in the selection process
- How to comply with both federal and state Fair Housing laws including how to comply with "reasonable modifications" and "reasonable accommodations" requests
- How to legally reject an applicant



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