

Wisconsin

Landlord-Tenant Compliance Guide

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■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in Wisconsin. It is not legal advice and should not be relied upon as a substitute for consultation with a qualified attorney. Laws change frequently; always verify current requirements with official state sources or legal counsel. enCompliance.com provides this information as-is and makes no warranties regarding accuracy or completeness.

■ Severity Indicators:

- **Critical** - Must comply (legal requirement)
- **Important** - Should follow (best practice)
- **Standard** - Good to know (general info)

■ This guide covers 103 compliance requirements across 18 categories

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1. CORE LEASE REQUIREMENTS

● **1. Lease Formation & Disclosures** (ATCP 134.04(1), Wis. Stat. § 704.01(3m))

■ *Legal Reference:* [ATCP 134.04\(1\), Wis. Stat. § 704.01\(3m\)](#) (click to view statute)

● **2. Written Lease Requirements** (Wis. Stat. § 704.03, ATCP 134.03)

■ *Legal Reference:* [Wis. Stat. § 704.03, ATCP 134.03](#) (click to view statute)

● **3. Lease Language Requirements** (ATCP 134.08, Wis. Stat. § 704.44)

■ *Legal Reference:* [ATCP 134.08, Wis. Stat. § 704.44](#) (click to view statute)

● **4. Lease Addendums** (Various ATCP 134 sections)

■ *Legal Reference:* [Various ATCP 134 sections](#) (click to view statute)

● **5. Lease Renewal** (Wis. Stat. § 704.03(2))

■ *Legal Reference:* [Wis. Stat. § 704.03\(2\)](#) (click to view statute)

● **6. Lease Termination** (Wis. Stat. § 704.19)

■ *Legal Reference:* [Wis. Stat. § 704.19](#) (click to view statute)

● **7. Early Termination** (Wis. Stat. § 704.16, § 704.165)

■ *Legal Reference:* [Wis. Stat. § 704.16, § 704.165](#) (click to view statute)

2. DISCLOSURES

● **1. Building Code Violations** (ATCP 134.04(2))

■ *Legal Reference:* [ATCP 134.04\(2\)](#) (click to view statute)

● **2. Lead-Based Paint** (Federal law (42 USC 4852d))

■ *Legal Reference:* [Federal law \(42 USC 4852d\)](#) (click to view statute)

● **3. Methamphetamine Contamination** (Wis. Stat. § 254.186)

■ *Legal Reference:* [Wis. Stat. § 254.186](#) (click to view statute)

● **4. Bed Bugs (No disclosure requirement)**

■ *Legal Reference: [No disclosure requirement](#)*

● **5. Utility Billing (ATCP 134.04(3))**

■ *Legal Reference: [ATCP 134.04\(3\)](#) (click to view statute)*

3. ENTRY & ACCESS

● **1. Landlord Right of Entry (ATCP 134.09(2))**

■ *Legal Reference: [ATCP 134.09\(2\)](#) (click to view statute)*

● **2. Notice Requirements for Entry (ATCP 134.09(2)(c))**

■ *Legal Reference: [ATCP 134.09\(2\)\(c\)](#) (click to view statute)*

● **3. Emergency Entry (ATCP 134.09(2)(a))**

■ *Legal Reference: [ATCP 134.09\(2\)\(a\)](#) (click to view statute)*

● **4. Tenant Remedies for Illegal Entry (ATCP 134.09, Wis. Stat. § 100.20(5))**

■ *Legal Reference: [ATCP 134.09, Wis. Stat. § 100.20\(5\)](#) (click to view statute)*

4. EVICTION PROCEDURES

● **1. Grounds for Eviction (Wis. Stat. § 704.17, § 704.19)**

■ *Legal Reference: [Wis. Stat. § 704.17, § 704.19](#) (click to view statute)*

● **2. Eviction Notice - Nonpayment of Rent (Wis. Stat. § 704.17(2)(a))**

■ *Legal Reference: [Wis. Stat. § 704.17\(2\)\(a\)](#) (click to view statute)*

● **3. Eviction Notice - Lease Violations (Wis. Stat. § 704.17(2)(b))**

■ *Legal Reference: [Wis. Stat. § 704.17\(2\)\(b\)](#) (click to view statute)*

● **4. Eviction Notice - Month-to-Month Termination (Wis. Stat. § 704.19(3))**

■ *Legal Reference: [Wis. Stat. § 704.19\(3\)](#) (click to view statute)*

● **5. Eviction Notice - Criminal/Drug Activity (Wis. Stat. § 704.17(1p), (3m))**

■ *Legal Reference: [Wis. Stat. § 704.17\(1p\), \(3m\)](#) (click to view statute)*

● **6. Notice Delivery Methods (Wis. Stat. § 704.21)**

■ *Legal Reference:* [Wis. Stat. § 704.21](#) (click to view statute)

● **7. Eviction Court Procedures** (Wis. Stat. § 799.40, Chapter 799)

■ *Legal Reference:* [Wis. Stat. § 799.40, Chapter 799](#) (click to view statute)

● **8. Writ of Restitution** (Wis. Stat. § 799.45)

■ *Legal Reference:* [Wis. Stat. § 799.45](#) (click to view statute)

● **9. Abandoned Property** (Wis. Stat. § 704.05(5))

■ *Legal Reference:* [Wis. Stat. § 704.05\(5\)](#) (click to view statute)

● **10. Retaliatory Eviction** (Wis. Stat. § 704.45)

■ *Legal Reference:* [Wis. Stat. § 704.45](#) (click to view statute)

5. FAIR HOUSING & DISCRIMINATION

● **1. Federal Fair Housing Act** (42 USC § 3601-3619)

■ *Legal Reference:* [42 USC § 3601-3619](#) (click to view statute)

● **2. Wisconsin Fair Housing Law** (Wis. Stat. § 106.50)

■ *Legal Reference:* [Wis. Stat. § 106.50](#) (click to view statute)

● **3. Reasonable Accommodations** (Federal FHA, Wis. Stat. § 106.50)

■ *Legal Reference:* [Federal FHA, Wis. Stat. § 106.50](#) (click to view statute)

● **4. Service Animals / Emotional Support Animals** (Federal FHA/ADA, Wis. Stat. § 106.50)

■ *Legal Reference:* [Federal FHA/ADA, Wis. Stat. § 106.50](#) (click to view statute)

● **5. Familial Status (Children)** (42 USC § 3604, Wis. Stat. § 106.50)

■ *Legal Reference:* [42 USC § 3604, Wis. Stat. § 106.50](#) (click to view statute)

● **6. Source of Income Discrimination** (Wis. Stat. § 106.50(2m)(b))

■ *Legal Reference:* [Wis. Stat. § 106.50\(2m\)\(b\)](#) (click to view statute)

● **7. Sexual Harassment** (Federal FHA, 42 USC § 3604)

■ *Legal Reference:* [Federal FHA, 42 USC § 3604](#) (click to view statute)

6. FINANCIAL TERMS

● 1. Rent Amount & Payment (Wis. Stat. § 704.01(3m))

■ Legal Reference: [Wis. Stat. § 704.01\(3m\)](#) (click to view statute)

● 2. Rent Increases (Wis. Stat. § 704.19(3), § 66.0104(2)(b))

■ Legal Reference: [Wis. Stat. § 704.19\(3\), § 66.0104\(2\)\(b\)](#) (click to view statute)

● 3. Late Fees (ATCP 134.08(2) (Nonstandard Rental Provisions))

■ Legal Reference: [ATCP 134.08\(2\) \(Nonstandard Rental Provisions\)](#) (click to view statute)

● 4. NSF/Bounced Check Fees (No specific statute)

■ Legal Reference: *No specific statute*

● 5. Application Fees (ATCP 134.05(4))

■ Legal Reference: [ATCP 134.05\(4\)](#) (click to view statute)

● 6. Move-In Fees (No specific statute)

■ Legal Reference: *No specific statute*

● 7. Pet Fees & Deposits (No specific limit; ATCP 134.02(11) (pet deposits are security deposits))

■ Legal Reference: [No specific limit; ATCP 134.02\(11\) \(pet deposits are security deposits\)](#) (click to view statute)

● 8. Utilities (Wis. Stat. § 704.05(2), ATCP 134.09(7))

■ Legal Reference: [Wis. Stat. § 704.05\(2\), ATCP 134.09\(7\)](#) (click to view statute)

7. HABITABILITY & REPAIRS

● 1. Implied Warranty of Habitability (ATCP 134.08(8), Wis. Stat. § 704.07(2))

■ Legal Reference: [ATCP 134.08\(8\), Wis. Stat. § 704.07\(2\)](#) (click to view statute)

● 2. Landlord Repair Obligations (Wis. Stat. § 704.07(2), ATCP 134.07)

■ Legal Reference: [Wis. Stat. § 704.07\(2\), ATCP 134.07](#) (click to view statute)

● 3. Tenant Repair Obligations (Wis. Stat. § 704.07(3))

■ Legal Reference: [Wis. Stat. § 704.07\(3\)](#) (click to view statute)

● 4. Repair & Deduct (No specific statute allowing repair and deduct)

■ Legal Reference: *No specific statute allowing repair and deduct*

● **5. Rent Withholding / Escrow** (Common law doctrine, Wis. Stat. § 704.07)

■ *Legal Reference:* [Common law doctrine, Wis. Stat. § 704.07](#) (click to view statute)

● **6. Constructive Eviction** (Common law doctrine)

■ *Legal Reference:* [Common law doctrine](#)

● **7. Heat Requirements** (Local ordinances; Wis. Admin. Code SPS 320-325)

■ *Legal Reference:* [Local ordinances; Wis. Admin. Code SPS 320-325](#) (click to view statute)

● **8. Hot Water Requirements** (Local building codes, Wis. Admin. Code SPS 320-325)

■ *Legal Reference:* [Local building codes, Wis. Admin. Code SPS 320-325](#) (click to view statute)

● **9. Mold** (No specific statute)

■ *Legal Reference:* [No specific statute](#)

● **10. Pest Control** (Local codes, Wis. Stat. § 704.07)

■ *Legal Reference:* [Local codes, Wis. Stat. § 704.07](#) (click to view statute)

● **11. Bedbugs** (No specific statute)

■ *Legal Reference:* [No specific statute](#)

● **12. Lead-Based Paint** (Federal law (42 USC 4852d), Wis. Stat. § 254.11)

■ *Legal Reference:* [Federal law \(42 USC 4852d\), Wis. Stat. § 254.11](#) (click to view statute)

● **13. Smoke Detectors & Carbon Monoxide** (Wis. Stat. § 101.647 (smoke), § 101.149 (CO))

■ *Legal Reference:* [Wis. Stat. § 101.647 \(smoke\), § 101.149 \(CO\)](#) (click to view statute)

8. KEYS & LOCKS

● **1. Lock Changes** (Wis. Stat. § 704.16(4), ATCP 134.09(2)(d))

■ *Legal Reference:* [Wis. Stat. § 704.16\(4\), ATCP 134.09\(2\)\(d\)](#) (click to view statute)

● **2. Lockouts / Self-Help Eviction** (ATCP 134.09(7))

■ *Legal Reference:* [ATCP 134.09\(7\)](#) (click to view statute)

9. LANDLORD LICENSING & REGISTRATION

● **1. State Licensing** (No statewide landlord license requirement)

■ *Legal Reference: No statewide landlord license requirement*

● **2. Local Registration Requirements (Local ordinances)**

■ *Legal Reference: [Local ordinances](#) (click to view statute)*

● **3. Business Registration (General business laws)**

■ *Legal Reference: [General business laws](#) (click to view statute)*

10. LEGAL PROCEDURES

● **1. Small Claims Court (Wis. Stat. Chapter 799)**

■ *Legal Reference: [Wis. Stat. Chapter 799](#) (click to view statute)*

● **2. Attorney Fees (Wis. Stat. § 799.40(2), § 100.20(5))**

■ *Legal Reference: [Wis. Stat. § 799.40\(2\), § 100.20\(5\)](#) (click to view statute)*

● **3. Mediation (Court may order mediation)**

■ *Legal Reference: [Court may order mediation](#)*

● **4. Statute of Limitations (Wis. Stat. § 893.43 (general contract), § 100.20(5) (ATCP))**

■ *Legal Reference: [Wis. Stat. § 893.43 \(general contract\), § 100.20\(5\) \(ATCP\)](#) (click to view statute)*

11. LOCAL ORDINANCES

● **1. City-Specific Requirements - Madison (Madison General Ordinances Chapter 32)**

■ *Legal Reference: [Madison General Ordinances Chapter 32](#) (click to view statute)*

● **2. City-Specific Requirements - Milwaukee (Milwaukee Code of Ordinances)**

■ *Legal Reference: [Milwaukee Code of Ordinances](#) (click to view statute)*

● **3. HOA Rules (Wis. Stat. Chapter 703 (Condominiums))**

■ *Legal Reference: [Wis. Stat. Chapter 703 \(Condominiums\)](#) (click to view statute)*

● **4. Condo Association Rules (Wis. Stat. § 703.16)**

■ *Legal Reference: [Wis. Stat. § 703.16](#) (click to view statute)*

● **5. Zoning Compliance (Local zoning ordinances)**

■ *Legal Reference: [Local zoning ordinances](#) (click to view statute)*

12. OCCUPANCY & SUBLETTING

- 1. Occupancy Limits (Local codes, Wis. Admin. Code SPS 320-325)

■ *Legal Reference:* [Local codes, Wis. Admin. Code SPS 320-325](#) (click to view statute)

- 2. Subletting & Assignment (Wis. Stat. § 704.09)

■ *Legal Reference:* [Wis. Stat. § 704.09](#) (click to view statute)

- 3. Unauthorized Occupants (Lease agreement)

■ *Legal Reference:* [Lease agreement](#)

- 4. Guests (No specific statute)

■ *Legal Reference:* [No specific statute](#)

13. PET POLICIES

- 1. Pet Deposits & Fees (No specific statute; ATCP 134.02(11))

■ *Legal Reference:* [No specific statute; ATCP 134.02\(11\)](#) (click to view statute)

- 2. Pet Restrictions (No specific statute)

■ *Legal Reference:* [No specific statute](#)

- 3. Pet Damage (Wis. Stat. § 704.28)

■ *Legal Reference:* [Wis. Stat. § 704.28](#) (click to view statute)

14. PROPERTY MANAGEMENT

- 1. Property Manager Requirements (Wis. Stat. § 452.01 (Real Estate Brokers))

■ *Legal Reference:* [Wis. Stat. § 452.01 \(Real Estate Brokers\)](#) (click to view statute)

- 2. Trust Account Requirements (Wis. Admin. Code REEB 18 (for licensed brokers))

■ *Legal Reference:* [Wis. Admin. Code REEB 18 \(for licensed brokers\)](#) (click to view statute)

- 3. Property Management Agreements (General contract law)

■ *Legal Reference:* [General contract law](#)

15. REPORTING & DOCUMENTATION

● 1. Record Retention (General business practice, IRS requirements)

■ *Legal Reference:* [General business practice, IRS requirements](#)

● 2. Rent Payment Records (General business practice)

■ *Legal Reference:* [General business practice](#)

● 3. Maintenance Logs (General business practice, ATCP 134.07)

■ *Legal Reference:* [General business practice, ATCP 134.07](#)

● 4. Inspection Reports (ATCP 134.06(1) (move-in check-in sheet))

■ *Legal Reference:* [ATCP 134.06\(1\) \(move-in check-in sheet\)](#) ([click to view statute](#))

● 5. Tax Reporting (Federal and state tax laws)

■ *Legal Reference:* [Federal and state tax laws](#) ([click to view statute](#))

● 6. Insurance Documentation (No statutory requirement)

■ *Legal Reference:* [No statutory requirement](#)

16. SECURITY DEPOSITS

● 1. Security Deposit Limits (No statutory limit; Wis. Stat. § 66.0104(2)(b))

■ *Legal Reference:* [No statutory limit; Wis. Stat. § 66.0104\(2\)\(b\)](#) ([click to view statute](#))

● 2. Security Deposit Storage (ATCP 134.05(1), Wis. Stat. § 704.28)

■ *Legal Reference:* [ATCP 134.05\(1\), Wis. Stat. § 704.28](#) ([click to view statute](#))

● 3. Security Deposit Return (Wis. Stat. § 704.28(4), ATCP 134.06(2))

■ *Legal Reference:* [Wis. Stat. § 704.28\(4\), ATCP 134.06\(2\)](#) ([click to view statute](#))

● 4. Allowable Deductions (Wis. Stat. § 704.28(1), ATCP 134.06(3))

■ *Legal Reference:* [Wis. Stat. § 704.28\(1\), ATCP 134.06\(3\)](#) ([click to view statute](#))

● 5. Itemization Requirements (ATCP 134.06(4))

■ *Legal Reference:* [ATCP 134.06\(4\)](#) ([click to view statute](#))

● 6. Penalties for Wrongful Withholding (Wis. Stat. § 100.20(5), ATCP 134.06)

■ *Legal Reference:* [Wis. Stat. § 100.20\(5\), ATPC 134.06](#) (click to view statute)

● **7. Check-In/Check-Out Procedures (ATCP 134.06(1))**

■ *Legal Reference:* [ATCP 134.06\(1\)](#) (click to view statute)

17. SPECIAL PROPERTY TYPES

● **1. Public Housing (Federal HUD regulations, 42 USC 1437)**

■ *Legal Reference:* [Federal HUD regulations, 42 USC 1437](#) (click to view statute)

● **2. Subsidized Housing (Federal regulations, Wis. Stat. § 106.50(2m)(b))**

■ *Legal Reference:* [Federal regulations, Wis. Stat. § 106.50\(2m\)\(b\)](#) (click to view statute)

● **3. Student Housing (Same as standard landlord-tenant law)**

■ *Legal Reference:* [Same as standard landlord-tenant law](#)

● **4. Senior Housing (Federal Fair Housing Act (55+ exemption))**

■ *Legal Reference:* [Federal Fair Housing Act \(55+ exemption\)](#) (click to view statute)

● **5. Short-Term Rentals (Airbnb/VRBO) (Local ordinances)**

■ *Legal Reference:* [Local ordinances](#) (click to view statute)

● **6. Mobile Home Parks (Wis. Admin. Code ATPC 125, Wis. Stat. § 101.935)**

■ *Legal Reference:* [Wis. Admin. Code ATPC 125, Wis. Stat. § 101.935](#) (click to view statute)

● **7. Commercial Property (Common law, Wis. Stat. § 704 (limited application))**

■ *Legal Reference:* [Common law, Wis. Stat. § 704 \(limited application\)](#) (click to view statute)

18. TENANT SCREENING & APPLICATION

● **1. Screening Criteria (Federal and state fair housing laws)**

■ *Legal Reference:* [Federal and state fair housing laws](#) (click to view statute)

● **2. Credit Checks (ATCP 134.05(4))**

■ *Legal Reference:* [ATCP 134.05\(4\)](#) (click to view statute)

● **3. Criminal Background Checks (Federal Fair Housing Act (HUD guidance))**

■ *Legal Reference:* [Federal Fair Housing Act \(HUD guidance\)](#) (click to view statute)

● **4. Application Deposits / Earnest Money (ATCP 134.05(2))**

■ *Legal Reference:* [ATCP 134.05\(2\)](#) (click to view statute)

● **5. Holding Fees (ATCP 134.05(2) (treated as earnest money))**

■ *Legal Reference:* [ATCP 134.05\(2\) \(treated as earnest money\)](#) (click to view statute)

Severity Indicators:

- Critical requirement (must comply)
- Important guideline (should follow)
- Standard information (good to know)

■■ LOCAL ORDINANCES & MUNICIPAL REQUIREMENTS

Note: The following requirements are specific to certain municipalities or counties within the state and may differ from or supplement statewide regulations. Always verify local requirements with your city or county government.

● **1. City-Specific Requirements - Madison (Madison General Ordinances Chapter 32)**

■ *Legal Reference:* [Madison General Ordinances Chapter 32](#)

● **2. City-Specific Requirements - Milwaukee (Milwaukee Code of Ordinances)**

■ *Legal Reference:* [Milwaukee Code of Ordinances](#)

● **3. HOA Rules (Wis. Stat. Chapter 703 (Condominiums))**

■ *Legal Reference:* [Wis. Stat. Chapter 703 \(Condominiums\)](#)

● **4. Condo Association Rules (Wis. Stat. § 703.16)**

■ *Legal Reference:* [Wis. Stat. § 703.16](#)

● **5. Zoning Compliance (Local zoning ordinances)**

■ *Legal Reference:* [Local zoning ordinances](#)

For the most current information, always consult official state sources.

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■ Questions or need legal review? Contact: **support@enCompliance.com**

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