

Judge upholds Milwaukee home inspection program

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A Milwaukee home inspection program withstood a landlord's court challenge, but local building owners continue to argue they are being singled out and paying higher costs because of it.

In 2010 the city began enforcing new building inspection and upkeep requirements for rental housing around the University of Wisconsin-Milwaukee campus and on the city's north side, west of Interstate 43. Landlord Joseph Peters sued the city last year to get the requirements overturned, but a Milwaukee County Circuit Court judge on Sept. 22 dismissed the case.

Peters said he owns and leases 10 houses affected by the law. He said all 10 were inspected this year, resulting in orders for minor repairs, such as torn screens.

"I was able to afford it, but it's more of a nuisance," Peters said. "My tenants dislike the building inspector going through. I had to convince them."

The city in 2009 approved the new program that requires landlords in the covered areas to get a city permit to lease buildings. To get a permit, the landlords must pay \$85 to have each apartment inspected. If the city uncovers code or safety violations, the landlord must fix them in order to get a city permit. The permits last four years if inspectors find no violations and one year if they do.

The new program unfairly singles out rental properties instead of owner-occupied housing, said Tristan Pettit, president of the Apartment Association of Southeastern Wisconsin. It also raises concerns among landlords that inspectors will not uniformly apply the building safety and upkeep requirements, leaving some landlords with a laundry list of work orders to correct minor problems such as peeling paint, he said. Those situations could force evictions if cash-strapped landlords cannot afford the repairs, Pettit said.

Milwaukee Ald. Nik Kovac, who sponsored the new program last year, said it is tailored to make sure the city evenly enforces building codes.

Mandated inspections prevent landlords from undercutting their competition by deferring maintenance, he said. In other areas of the city, inspections are required only when tenants complain to the city.

Kovac said he has received few complaints about the program.

"In most cases, it was deferred maintenance where, if we let it pile up, after 10 years, you have to tear the house down," Kovac said.

City officials have inspected 800 properties, some of which contain multiple buildings, said Todd Weiler, spokesman for the Milwaukee Department of Neighborhood Services. Those inspections found 8,550 violations for landlords to correct, he said. About half of the 800 properties inspected had no violations and received four-year rental permits. The remainder will receive one-year permits if the violations are corrected, he said.