



Brenda Konkel for Madison

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Police must stop pressuring landlords into illegal practices

Over the past week police have pressured Heartland Housing, the operator of Rethke Terrace, a building that houses formerly homeless individuals, to enact a month long “temporary” ban on all guests which is in violation of local, state, and federal housing laws. Last week residents were informed “Security personnel and MPD will work with us to enforce this policy.”

Madison General Ordinance 32.05(1)(g) clearly states “A landlord may regulate guests, but may not prohibit, a tenant from having all guests.” It further goes on to say that “Guest regulations, if any, shall be included in the rental agreement.” To my knowledge, there are no guest regulations that allow this type of ban in the leases. Several residents I spoke with don’t have current leases and were not provided copies when requested.

Wis. Stat. 704.05(2) further states that a tenant has the right to “exclusive possession” of their unit. While the landlord may enter to “inspect the premises, make repairs and show the premises”, this does not include the right to regulate who the tenant chooses to invite to their home or to do occupancy inspections.

I’m relieved Heartland Housing backed off from their notice for entry on Thursday, August 2nd that stated, in violation of the residents’ constitutional rights, that “your apartment will be entered by Heartland Alliance property management and officers of the Madison Police Department to perform an occupancy inspection.” Several residents put up signs stating that police cannot enter without a warrant and their units were not entered.

Furthermore, I’m greatly concerned that when I visited the complex last week, in violation of the unreasonable guest policy, the front desk was willing to let me in after the resident announced that ‘This is Brenda Konkel from the Tenant Resource Center and she’s running for mayor.’ I didn’t have my I.D. on me or and I wasn’t pre-approved by a case manager or the property manager. The ban was in effect, but they allowed me to go ahead and visit the resident. The fact that they are not applying this ban to everyone in the same manner is concerning.

Then, on my second visit last week, 3 of the 4 residents I spoke with said they aren’t even allowed to have their children visit. This housing provider is supposed to be aiding formerly homeless persons in putting their lives back together after a traumatic experience. The unlawful guest policy is having the opposite effect on Rethke residents and their families.

While I understand that the police may have some issues with activities in the building, they should not be encouraging landlords to break our own local laws. The police should be addressing the issues with the individuals involved instead of pushing a blanket ban on all guests. This is a regular occurrence in low income neighborhoods and affordable housing complexes, but it has to stop. Being poor or living in a low-income neighborhood doesn’t mean you have less rights as a tenant. Our police department should not be spending their time managing property for landlords and recommending illegal practices.