

Attorney David R. Sparer – Of Counsel
Carlson Black O'Callaghan & Battenberg LLP
222 W. Washington Ave., Ste. 705
Madison, WI 53703-2745
direct: 608.448.6357
david.sparer@carlsonblack.com

August 23, 2022

Clerk of the Supreme Court
Attn: Deputy Clerk – Rules
Hand Delivered

FILED

AUG 24 2022

**CLERK OF SUPREME COURT
OF WISCONSIN**

RE: Petition SCR 22-03 Eviction Record Retention

Greetings:

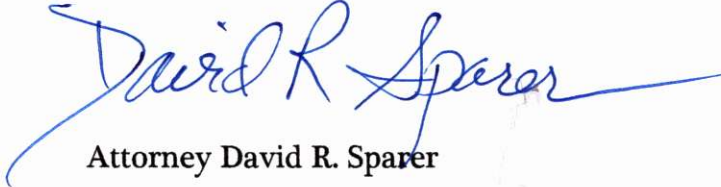
I am a Wisconsin attorney who has worked for decades in the area of landlord – tenant law. I also have served on the City of Madison committee called the Landlord Tenant Issues Committee for several decades. I am writing in support of the Petition for the rule modification.

I wish the Court to know that in the City of Madison, as far back as 1981, the City adopted Ordinance 32.12(7) to assist tenants who were unable to find safe and habitable housing even though they had sufficient financial means to pay the rent. The City found that this was a problem for enough of our citizens that we needed to provide some protections. For that reason, we adopted this ordinance which required landlords, in most cases, to rent to tenants who could show that they had sufficient income to pay the rent requested by the landlord.

However, in 2011 the State Legislature significantly limited the rights of cities to regulate landlord's evaluation of tenancy applicants, and thus this protection disappeared. This was not based upon any determination by the Legislature that citizens of our State's cities were not finding it hard to get housing even when they had the financial means to pay for it. Instead, this was part of an approach to deny Cities the power to provide protections to tenants in a number of areas and limit their legislative powers. The change to City's regulatory powers simply returned our State to a situation where the citizens who live in rental housing once again faced difficulty finding affordable, safe and habitable housing. In my view, at least, this was a sad situation.

This Petition proposes an alternative method to provide a protection needed by many of our fellow community members. The City of Madison simply has no power to provide this sort of protection. . However, the need is great. I write to say I hope that the Supreme Court does find it appropriate to adopt this proposed rule change.

Sincerely,



Attorney David R. Sparer

DRS/ms