

2013 WISCONSIN

ACT 274

Effective Jan. 1, 2015

Information on collection of certain municipal utility arrearages and the provisions of municipal utility service to tenants



Shawano Municipal Utilities
122 N Sawyer St
PO Box 436
Shawano WI 54166

REQUEST FOR NOTICE OF RESIDENTIAL TENANT'S DELINQUENT UTILITY BILLS

Tenant's Name _____

Address of Rental Property

Tenant's Forwarding Address (if applicable)

Owner's Name _____

Owner's Address

Utility bills for which tenant is responsible:
(Check all that apply)

Electric _____

Water _____

Sewer _____

Return completed form to:
Shawano Municipal Utilities (SMU)
Attn: Billing
PO Box 436
Shawano WI 54166

This brochure is to advise you of utility collection procedures for rental properties under Wis. Stat. §66.0809. Compliance with the statute may help landlords avoid delinquent utility charges from becoming a lien upon their rental property.

Does Section 66.0809 apply to you?

Section 66.0809 applies to landlords who may be liable for their tenants' delinquent utility bills.

The law applies to you if: (1) you own residential rental property; (2) your tenant(s) are responsible for paying utility charges for their rental units; and (3) the tenant(s) fail to pay those charges.

The law does not apply to you if: (1) the tenant is not responsible for paying utility charges; (2) utility service is measured jointly for 2 or more rental dwelling units (in that case Wisconsin law requires you or your agent to maintain the account for utility service); or (3) the property is something other than residential rental property.

Effective Jan. 1, 2015, what does the law require?

Section 66.0809(5) provides a procedure under which the Utility, upon request of the landlord, will give notice to the landlord of a residential tenant's delinquent utility bills.

How does a landlord request notice?

The landlord must provide the utility in writing with the name and address of the owner and tenant who is responsible for the payment of the utility charges per Wis. Stat. § 66.0809(5). You

will receive notice of delinquent charges incurred by your residential tenant if, this form, is completed and returned to the utility office. You may also be asked to provide the utility office a copy of the rental or lease agreement in which the tenant assumes responsibility for the payment of the utility charges.

When does the utility notify the landlord?

After a completed form is received from you, the utility must notify you within 14 days after the charges become past due; Wis. Stat. § 66.0809(5)(b). The tenant will also be sent this same notice of delinquent charges. In addition, if the landlord provides the municipal utility, no later than 21 days after the date on which the tenants vacates the rental dwelling unit, with a written notice that contains the tenant's forwarding address and the date vacated, the utility shall continue to send past due notices to the tenant at his/her forwarding address and continue to send past due notices to the landlord; Wis. Stat. §66.0809(5)(am).

By Giving Notice, Does the Utility Waive Its Right to Make Delinquent Utility Bills Part of the Landlord's Property Tax Due?

No. If the tenant does not pay his/her delinquent utility bills after the Utility complies with the notice procedures described in this brochure, the Utility may make the delinquent utility bills part of the landlord's property tax due.