**Wisconsin’s coronavirus eviction ban has expired. Here’s what renters need to know.**

*By Allison Dikanovic, Wisconsin Watch*

Wisconsin Gov. Tony Evers’ statewide ban on evictions expired on May 26, leaving renters at risk of losing housing during a pandemic that has left hundreds of thousands of Wisconsinites unemployed.

The concerns run statewide but are particularly pronounced in Milwaukee. Renters make up more than half of households in Milwaukee County, which in 2016 had a higher percentage of renters than any other large Midwestern county, according to a study from the Wisconsin Policy Forum, a nonpartisan, statewide research organization.

More than three dozen people have sought housing information from Wisconsin Watch and Milwaukee Neighborhood News Service through News414, a news-by-text collaboration launched this month in partnership with Outlier Media. Those include renters who are struggling to come up with the cash they owe their landlords, renters who report being charged illegal late fees and renters due in court next month to face eviction cases.

News414 users have plenty of company.

More than 100 people called the Community Advocates rent helpline before 10 a.m. on May 26, part of a weeks-long surge in calls, said Deb Heffner, housing strategy director at the social service nonprofit in Milwaukee.

“We’ve been getting double the calls we normally get, sometimes triple, depending on the day,” Heffner said. “All throughout the night people are calling and leaving voice messages, and rightfully so. It’s a scary time, people are worried.”

Even before the coronavirus crisis, about half of county renters were considered rent-burdened, meaning they spent at least 30% of their income on rent, the 2018 study said. About 40% of African American renters in the four-county Milwaukee metro area spent more than half of their incomes on rent, the 2018 study said, compared to 21% of white households.

The COVID-19 pandemic has added to the burdens of renters statewide.

Dane County typically sees about 2,300 eviction filings each year, and the nonprofit Tenant Resource Center says that number could soar this year to 6,000 to 12,000 evictions.

Thousands of residents lost paychecks as businesses shut down to control the virus, and the state Department of Workforce Development has been slow to process a rush of unemployment insurance claims — leaving hundreds of thousands of Wisconsinites waiting for payments.

“We’re hearing from a lot of tenants who are calling and saying that they still haven’t received unemployment payments, and they haven’t received a (federal) stimulus check yet, and we want to dispel the myth that everyone has the resources they need to pay right now,” Heffner said.

As the pandemic continues and these challenges mount, here is what Wisconsin renters should know about evictions and their rights.

**Didn’t the governor stop evictions during the coronavirus crisis?**

Yes, but only temporarily.

Evers in late March issued a 60-day ban on evictions and home foreclosures across Wisconsin. But the emergency order didn’t suspend rent.

That means renters remained legally responsible for all rent owed for April and May.

The eviction ban expired on Tuesday (May 26). What happens now?

Landlords on Wednesday could again legally issue eviction notices, the first step of the eviction filing process.

Most notices give tenants five days to pay or vacate, but tenants on month-to-month leases may receive 28-day notices, while others in special circumstances may receive 14-day notices, said Colleen Foley, executive director of the nonprofit Legal Aid Society of Milwaukee.

The five-day notice states how much a tenant owes, with instructions to pay that amount or vacate the unit within five days. If the tenant does not meet the demand, a landlord can continue the eviction process.

**What about federal protections against evictions?**

Tenants in some buildings with federally backed mortgages have added protections against evictions — a product of the federal CARES Act. That ban lasts until July 25.

Tenants can check if their building is covered here.

**What do I do if I get an eviction notice? Do I really have to be out in five days?**

Not necessarily.

An eviction notice is different from a court-filed eviction, meaning renters still have time to pay back rent or work out a formal agreement with a landlord. Such an agreement might involve setting a move-out date without the landlord filing the eviction, or setting up a payment plan. Agreements should be in writing and ideally signed by a witness, Foley said.

When the deadline on an eviction notice expires, a landlord can file an official eviction complaint and summons. That involves scheduling a court date.

“You’re entitled to your day in court,” Foley said.

Renters facing an eviction notice should first try to get the cash to pay back the rent, and then try to get a lawyer, Foley said.

Eviction proceedings unfold in civil court — not criminal court. That means courts do not automatically assign a lawyer to represent a tenant, but organizations such as the Legal Aid Society of Milwaukee and Legal Action of Wisconsin can provide free representation for those whose incomes qualify.

A tenant might win a case if the landlord failed to serve an eviction notice or improperly followed procedures. Lawyers sometimes find other ways to help their clients win cases, Foley said.

And if your landlord wins in court? The sheriff’s office will mail you a notice. That is when you must leave your home.

**What if I couldn’t afford rent for April or May? Or if I can’t pay June’s rent?**

If you are behind on rent payments, try connecting with your landlord, Heffner said. Try negotiating a payment plan and offer ideas for avoiding an eviction. And explain how you might pay back the money, whether you are applying for emergency rent assistance, waiting for your unemployment benefits to come through, or trying to get a loan from a friend or family member.

“The sooner you reach out, the better,” Heffner said. “Don’t wait until you get the notice. If you know you need help, communicate to your landlord.”

If you are uncomfortable talking with your landlord, organizations such as Community Advocates, Mediate Milwaukee and the Tenant Resource Center in Madison can help.

Those groups offer mediation between tenants and landlords, spurring a conversation — facilitated by a neutral party — that can lead to agreements. Mediation is free and confidential, and can occur before or after an eviction is filed, said Amy Koltz, executive director and mediator for the Wisconsin Foreclosure Mediation Network and the Metro Milwaukee Foreclosure Mediation Program.

**Can I get emergency rent assistance?**

In Milwaukee, Community Advocates is helping tenants apply for emergency rent assistance, offering several options to those who qualify. Most require you to have lost some kind of income because of the coronavirus shutdown.

“Each individual situation is different,” Heffner said. “The best thing is to call, your circumstance is unique to you.”

Heffner said that Community Advocates and MKE United sent mailers to 3,500 landlords in Milwaukee with information about mediation options and rent assistance resources to pass along to tenants.

Dane County residents have another option. The county this month announced a partnership with the Tenant Resource Center to reach 9,000 residents through a $10 million eviction prevention fund, tapping CARES Act funding. Applications will be available online in June, and those accepted will get an assessment that targets an eviction prevention plan that best fits their needs. “The funding will come wrapped in housing counseling, education for the landlord on federal mortgage protections, case management, outreach, and mediation services,” the Tenant Resource Center said.

**Didn’t the state announce a new rent assistance program?**

Yes. Evers on Wednesday announced a statewide rental assistance program relying on federal CARES Act funding, and the details are still being finalized.

The state Department of Administration offers a county-by-county list of where to apply here.

Milwaukee County residents can enter their information here to get an application started, and representatives from the Social Development Commission will begin calling people back the week of June 8.

The Department of Administration says adults earning at or below 80% of their county’s median income — at the time of their application or the month before — could qualify. Rent assistance ranges up to $3,000 per applicant, with payments going directly to landlords through partner agencies.

The $25 million program will work on a first come, first served basis, possibly assisting more than 8,000 Wisconsinites.

**Can a landlord charge me late fees on rent?**

Not legally — for now.

The Wisconsin Department of Agriculture, Trade and Consumer Protection in April issued an emergency rule that temporarily banned fees on late or missed rent payments. Ti Gauger, a department spokeswoman, said the ban lasts until Aug. 8.

If your landlord tries charging you a late fee anyway, Gauger suggested calling the state’s Consumer Protection Hotline at 800-422-7128. She said the agency has seen a “handful of contacts” about landlord-tenant issues.

Heffner Milwaukee residents can also try Community Advocates’ rent helpline, where staff can offer advice for how to navigate the situation with your landlord. And Legal Action of Wisconsin takes calls from Wisconsinites statewide.

**What if I face an eviction filed before the temporary ban?**

If your landlord started eviction proceedings before the Evers issued the statewide ban (March 27), you should have already received a rescheduled court date.

More than 350 Milwaukee County eviction cases were already in the pipeline before Evers issued his order, Foley said. Those hearings began as early as Wednesday, she added.

The Wisconsin Supreme Court this week granted lower courts permission to resume courthouse proceedings, but only if they make plans to keep people safe from the coronavirus. Milwaukee County civil court is still conducting its business remotely through Zoom. Residents with a case should have a link to join online or a phone number to call — two options for exercising their right to appear.

Holding court remotely adds challenges for presenting evidence, which must be filed through the county’s e-filing system.

Milwaukee County courthouse staff are still planning how to resume in-person hearings — with people keeping a safe distance from each other, said Chief Judge Mary E. Triggiano. But courts have yet to set a date for a return to the courthouse.

**How many people might lose their homes?**

That’s hard to say.

Even before the pandemic, some Milwaukee neighborhoods saw as many as 10 to 15% of households evicted in a given year, according to a Medical College of Wisconsin analysis. And the city typically saw relatively high eviction totals in spring and summer.

Milwaukee landlords filed 1,057 evictions in May 2018 after filing 1,332 evictions the previous May.

*Allison Dikanovic is an engagement reporting fellow for (Wisconsin Watch), which is partnering with Milwaukee Neighborhood News Service and Outlier Media on News414, a news-by-text project.*