Milwaukee regulators can force landlords to fix lead hazards, but only if they can find them

*The Milwaukee Health Department faces lead enforcement challenges as ranks of out-of-state landlords grow.*

**By Farrah Anderson**

*Wisconsin Watch*

It was one landlord. And another. And another.

By the time Deanna Branch learned of severe lead hazards in her home several years ago, she wasn’t even sure who owned the North Side Milwaukee house she was renting.

When her son Aidan was sent to the hospital for the second time with severe lead poisoning, the Milwaukee Health Department initially struggled to find the landlord responsible for removing the hazards — a problem the department says it often encounters.

The city of Milwaukee may penalize landlords who don’t fix lead hazards in their properties, but only if they can track them down.

A growing share of Milwaukee property owners live outside of Wisconsin. And in properties where low-income renters live, ownership frequently changes, leaving tenants confused about who should be held accountable for any hazards.

In 2022, landlords outside of Wisconsin owned more than one in six Milwaukee rental homes.

[Out-of-state investors are increasingly buying properties](https://milwaukeenns.org/2023/02/03/out-of-state-landlords-are-increasingly-buying-up-property-in-milwaukee-heres-what-that-means-for-our-neighborhoods/) in Milwaukee’s Black-majority neighborhoods, according to a report by John Johnson, a research fellow in the Lubar Center for Public Policy Research and Civic Education at Marquette University Law School.  
  
Landlords outside of Wisconsin own 24% of rental properties in majority Black wards, a 9.3 percentage point leap since 2018, according to the report. Yet from 2018 through September 2022, the number of out-of-state-owned houses in majority white neighborhoods fell by nearly 100, the report said.

The Milwaukee Department of Health Services struggled to find Dennise Honegger’s landlord after tests showed her daughter and grandson were lead-poisoned. The department eventually tracked him down in California where he was difficult to reach, Honegger said. Some lead abatement happened at Honegger’s rental, but only sporadically as the landlord did not consistently pay contractors, she added.

State law does not limit how often landlords change their business names, and those that frequently change their limited liability companies are particularly hard to find, said Michael Mannan, the health department’s director of home environmental health.

“It makes it very hard to bring someone to court if they're constantly changing their ownership,” Mannan said.

Allowing cities to set up and fund rental registry programs would help address this problem, Mannan said, but state laws that limit local power to regulate rental properties make doing so difficult.

“We’d know who the owner is, you’d have to renew every year. If you had code violations, you wouldn’t be allowed to rent your property, Mannan said. “All that we're allowed to do are Band-Aids.”

Mannan said his colleagues are lobbying lawmakers to require that agents submit additional information when registering an LLC — an “uphill climb” in the current landlord-friendly Legislature, he acknowledges.

Heiner Giese, an attorney and lobbyist for the Rental Property Association of Wisconsin, said he is not aware of landlords that are changing their business names to avoid enforcement.

Changing an LLC name still requires paying state fees and listing a registered agent, Giese said.

“There’s somewhat of a myth out there that landlords are hiding,” he said. “You’ve got to have some sort of live human being that’s connected with an LLC.”

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