

# Vote Record

## Assembly Committee on Housing

Date: 5/15/97  
 Moved by: Owens      Seconded by: \_\_\_\_\_  
 AB: 46      Clearinghouse Rule: \_\_\_\_\_  
 AB: \_\_\_\_\_      SB: \_\_\_\_\_      Appointment: \_\_\_\_\_  
 AJR: \_\_\_\_\_      SJR: \_\_\_\_\_      Other: \_\_\_\_\_  
 A: \_\_\_\_\_      SR: \_\_\_\_\_

A/S Amdt: 1 (LRB-a0074)  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_  
 A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

- Be recommended for:
- |   |  |
|---|--|
| <input type="checkbox"/> Passage  | <input type="checkbox"/> Indefinite Postponement |
| <input checked="" type="checkbox"/> Introduction <i>unanimous consent</i> | <input type="checkbox"/> Tabling                 |
| <input type="checkbox"/> Adoption   | <input type="checkbox"/> Concurrence             |
| <input type="checkbox"/> Rejection  | <input type="checkbox"/> Nonconcurrency          |
|   | <input type="checkbox"/> Confirmation            |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Carol Owens, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steven Foti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Daniel Vrakas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steve Wieckert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Johnnie Morris-Tatum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Leon Young	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tammy Baldwin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: \_\_\_\_\_

Motion Carried *Granted*       Motion Failed

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 A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

- Be recommended for:
- |  |  |
|--|--|
| <input type="checkbox"/> Passage             | <input type="checkbox"/> Indefinite Postponement |
| <input type="checkbox"/> Introduction        | <input type="checkbox"/> Tabling                 |
| <input checked="" type="checkbox"/> Adoption | <input type="checkbox"/> Concurrence             |
| <input type="checkbox"/> Rejection           | <input type="checkbox"/> Nonconcurrence          |
|  | <input type="checkbox"/> Confirmation            |

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Carol Owens, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steven Foti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Daniel Vrakas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steve Wieckert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Johnnie Morris-Tatum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Leon Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tammy Baldwin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals:      9      0      0      0

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AB: 46 Clearinghouse Rule: \_\_\_\_\_  
AB: \_\_\_\_\_ SB: \_\_\_\_\_ Appointment: \_\_\_\_\_  
AJR: \_\_\_\_\_ SJR: \_\_\_\_\_ Other: \_\_\_\_\_  
A: \_\_\_\_\_ SR: \_\_\_\_\_

A/S Amdt: \_\_\_\_\_  
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A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_  
A/S Amdt: \_\_\_\_\_ to A/S Amdt: \_\_\_\_\_ to A/S Sub Amdt: \_\_\_\_\_

Be recommended for:

- Passage as amended
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

### Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Rep. Carol Owens, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Neal Kedzie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Steven Foti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Rep. Johnnie Morris-Tatum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. John La Fave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Leon Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Tammy Baldwin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 9 0 0 0

Motion Carried

Motion Failed

# Mickey / Dwey Strobel

Mickey - 6. '95 ... → ... by ...  
... one P 055

... ( ... ) ...

Dwey  
Cochran

a B. Y. ) senior citizens ...  
( ... ) } P P P ...  
'88 state law change - was done ...  
... / P P

Connie Hagen & Le Anna Ware < Dir. of Civil Rights Bureau >

- equal to ...
- 95 act / - ...
- disc. against lawrence elderly

request modification - maintain records / dept. enforce complaints

Richard Stoff <see memo from W.R. Assn.>  
- rep. Real Estate Assn.

\* does not affect 3, 7 families with children -  
affordable housing

↳ positive affect in the market place

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Scott Slattery / Wis. Mfg. Housing  
22 mbgs. / 84 realtors

rep. over 1,124 mfg. / mobile home parks

Examples: ① current laws: no certification for  
compliance (former DILHR) <sup>→ procedures</sup>

② needed to B r d q r p  
across the street at the senior center

M-T  
Keadzie



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URL <http://www.wra.org>

JOYCE A. BYTOF, CRB, President

WILLIAM MALKASIAN, CAE, Executive Vice President

TO: Assembly Housing Committee  
FROM: Michael Theo  
Vice President for Public Affairs  
DATE: February 17, 1997  
RE: Assembly Bill 46 - Fair Housing Law Revisions

**YOUR  
FUTURE  
IS OUR  
BUSINESS.**

The Wisconsin REALTORS Association (WRA) strongly supports AB 46 - a bill to update Wisconsin's fair housing laws regarding elderly housing to comply with recent changes passed by Congress and signed by President Clinton.

"The purpose of the Wisconsin REALTORS® Association is to enhance the success of the real estate professional."

**Background**

The 1988 Federal Fair Housing Amendments exempted certain housing for older persons from the provisions prohibiting discrimination on the basis of familial status. Housing meeting that exemption may legally exclude families with children. The intent of the law is to recognize the special needs and desires of elderly renters and homeowners.

Under the 1988 Amendments, housing for older persons must meet the criteria in one of three housing categories in order to qualify for the exemption. One category is housing intended and operated for occupancy by persons 55 years of age and older, provided the following criteria be satisfied: at least 80% of the units are occupied by at least one person who is 55 years old or older; the facility publishes and adheres to policies and procedures that demonstrate the owner's intent the housing is for elderly persons and there exists significant facilities and services designed especially to meet the physical and social needs of older persons.

**The New Federal Law**

In December, 1995, President Clinton signed the Older Persons Act of 1995 (HR 660) into law. The law amends the Fair Housing Act by deleting the requirement that housing for older persons provide significant facilities and services specifically designed to meet the physical and social needs of older persons. This requirement had proven difficult to define for the elderly, housing providers, and HUD. Recognizing these difficulties, HUD made several attempts to define those services and facilities which would satisfy the law's requirement, but widespread dissatisfaction with HUD's definitions and rules led to the passage of the new law.

- More -

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The new federal law also made several other changes regarding verification of elder occupants and limits on liability for owners trying to comply with the law. Exempt housing must now comply with rules promulgated by DILJD for verification of occupancy. Further, the new law provides that a person who relies upon representations indicating that the property qualifies for the exemption is not liable for monetary damages if they show a good faith effort to comply with the law. To prove good faith, an owner or broker must demonstrate, (a) they had no actual knowledge that the housing was not, or would not be, eligible for the exemption, and (b) that the owner stated formally in writing that the housing complied with the requirements of the exemption. This is important for a real estate broker, or a unit owner in a complex, who must rely upon the accuracy of the occupancy verification documentation, despite not having a personal opportunity to verify its accuracy.

#### **Wisconsin Law**

Wisconsin is among the many states who patterned their fair housing laws to mirror the federal Fair Housing Act prior to the enactment of the new changes. Therefore, Wisconsin law today continues to require that housing have "significant facilities and services" in order to qualify for the 55 and older exemption.

#### **Impact of AB 46**

AB 46 will simply bring Wisconsin law into compliance with these new federal changes. Passage of this legislation is important so that our elderly can enjoy the full range of housing options allowed under the new federal law. Moreover, identical state and federal law will assist property owners, managers and developers in understanding and complying with elderly housing laws.

We strongly encourage the committee to support AB 46.

Original     Updated  
 Corrected     Supplemental

1997 Session

LRB or Bill No./Adm. Rule No.  
AB 46 / 1530/1

Amendment No. if Applicable

**FISCAL ESTIMATE**  
DOA-2048 N(R10/94)

**Subject**  
**FAIR HOUSING**

**Fiscal Effect**

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

- Increase Existing Appropriation     Increase Existing Revenues  
 Decrease Existing Appropriation     Decrease Existing Revenues  
 Create New Appropriation

- Increase Costs - May be possible to Absorb  
 Within Agency's Budget     Yes     No  
  
 Decrease Costs

Local:  No local government costs

1.  Increase Costs  
     Permissive     Mandatory  
 2.  Decrease Costs  
     Permissive     Mandatory

3.  Increase Revenues  
     Permissive     Mandatory  
 4.  Decrease Revenues  
     Permissive     Mandatory

5. Types of Local Government Units Affected
- Towns     Villages     Cities  
 Counties     Others  
 School Districts     WTCS Districts

**Fund Sources Affected:**

- GPR     FED     PRO     PRS     SEG     SEG-S

**Affected Ch. 20 Appropriations:**

**Assumptions Used in Arriving at Fiscal Estimate**

This bill contains provisions to conform Wisconsin's open housing law to the federal fair housing law. There are approximately 200 housing discrimination cases filed each year. The issue of significant facilities in housing for older people is raised in less than ten cases per year. Passage of the conformity provisions of this legislation will therefore have no significant impact on the housing caseload of the Equal Rights Division.

The bill directs the department to promulgate rules for verification of occupancy. This language can be interpreted in two ways. The department could verify occupancy based on complaints filed with the Equal Rights Division, which will have no fiscal impact on the department.

However, if the rules are written to require a program to inspect and verify all housing for older people, the fiscal impact would be:

Start-up costs: \$137,500 covering equipment and furnishings for two FTE's, computer programming time and promulgation of Administrative Rules.

Ongoing costs: \$530,500, including:

- \$ 78,800 for salaries and fringe benefits
- \$ 21,000 for supplies and services
- \$ 16,700 for computer programming and maintenance.
- \$414,000 for the cost of surveying approximately 600,000 rental units, calculated as follows:
  - \$384,000.00 (mail out and return postage)
  - \$ 20,000.00 (Envelopes)
  - \$ 10,000.00 (Printing)

**Long-Range Fiscal Implications**

Agency/Prepared by:(Name & Phone No.)

DWD / Ware, LeAnna (266-1997)

Authorized Signature/Telephone No.

*[Handwritten Signature]*

Date

2/19/97



**Fiscal Estimate Worksheet**

Detailed Estimate of Annual Fiscal Effect  
DOA-2047(R10/94)

Original       Updated  
 Corrected       Supplemental

LRB or Bill No./Adm Rule No.      Amendment No.  
AB 48 / 1530/1

Subject  
FAIR HOUSING

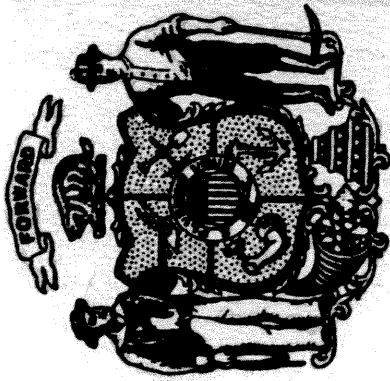
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):  
\$2,000.00 for reprinting informational materials about the law.

II. Annualize Costs:	Annualized Fiscal Impact on Stated funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs (by Category)</b>		
State Operations - Salaries & Fringes	\$0	- \$0
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs	\$0	- \$0
Local Assistance	\$0	- \$0
Aids to Individuals or Organizations	\$0	- \$0
<b>TOTAL State Costs by Category</b>	<b>\$0</b>	<b>- \$0</b>
<b>B. State Costs (by Fund Source)</b>	<b>Increased Costs</b>	<b>Decreased Costs</b>
GPR:	\$0	- \$0
FED:	\$0	- \$0
PRO/PRS:	\$0	- \$0
SEG/SEG-S:	\$0	- \$0
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>	<b>Increased Rev.</b>	<b>Decreased Rev.</b>
GPR Taxes:	\$0	- \$0
GPR Earned:	\$0	- \$0
FED:	\$0	- \$0
PRO/PRS:	\$0	- \$0
SEG/SEG-S:	\$0	- \$0
<b>TOTAL State Revenues:</b>	<b>\$0</b>	<b>- \$0</b>

**Net Annualized Fiscal Impact**

	<u>State</u>	<u>Local</u>
Net Change in Costs:	\$0	\$0
Net Change in Revenues:	\$0	\$0

Agency/Prepared by:(Name & Phone No.) DWD / Ware, LeAnna (266-1997)	Authorized Signature/Telephone No.	Date
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STATE OF WISCONSIN  
DEPARTMENT OF  
WORKFORCE DEVELOPMENT

**KATHERINE L. MNUK**  
LEGISLATIVE LIAISON  
OFFICE OF THE SECRETARY

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