

Landlord/Tenant COVID-19 Guidelines

This document was last updated on 11/20/2020

Can landlords show occupied units?

The short answer is at this time landlords can show occupied units, as they normally would, by providing tenants with proper legal notice of entry. As a best practice, it is recommend that you as the landlord (and anyone touring the apartment) sanitize hands prior to entry, wear facemasks when in the apartment, and try to maintain a 6-foot distance as much as possible. You may also want to request the current occupants step out while touring simply to reduce exposure.

Even with these steps, you may still receive resistance from the current occupants who may not want entry because of the increased likelihood of exposure. At this point, there is no requirement for you to cancel or postpone a showing, but as an individual business practice, you may want to think about how you will proceed. Some Landlords are choosing to wait until the property is vacant before marketing and showing it. Others are only scheduling showings after an applicant has applied and been approved. It is better to plan for these scenarios now, rather than showing up to do a tour and the current occupant refuses entry or is hostile.

Can landlord enter for maintenance?

Much like showings, there are currently no limitations on completing maintenance requests. Again, the recommendations of masks, distance, and sanitizing are prudent not only for the occupants but for whoever is completing the maintenance requests. In theory, if a tenant is asking for a repair, they should be ok with entry to complete it. In the cases of an emergency repair, you may find resistance from the occupants. We encourage you to take as many precautions as you can to make the current tenant comfortable with entry. This may include offering to have them step out of the apartment while you complete the repair in addition to sanitizing surfaces and touchpoints that you had contact with. Try to be as accommodating as possible, but also stress that some repairs simply cannot wait and must be completed.

What resources are available to do virtual tours?

Virtual tours are a good option during times like this. They can be done in many ways such as a video walk-through of the home all the way up to full 360 virtual walkthroughs that a tenant can manipulate.

VIDEO TOUR - This can be done simply with your cell phone, assuming it has a good camera for recording video. A slow and steady walkthrough of the apartment while recording it gives prospective tenants a feel for the floorplan. Because video sizes are generally large and cannot be emailed, the simplest option is to upload the video to YouTube and supply the link on your website listing or via email when requested. NOTE: For privacy reasons, you should NOT be video recording an occupied apartment unless you have written consent from the occupant. Be upfront and let them know the video will be posted online.

360 TOURS - This type of tour comes at a larger cost but has a more professional and user-friendly experience for prospective tenants. You will need a special camera, virtual tour software, and hosting services to make these videos. Look at companies such as Matterport for more info and pricing for this option. Again, if you are doing this in an occupied apartment be sure to obtain written consent to post the tour.

Evictions?

Until December 31, 2020 there is a Federal eviction moratorium in place. This applies only to evictions for rent. You are still able to evict for lease violations. Additionally, to obtain moratorium protection, tenants who are behind in rent must certify that they meet the requirements. These include the fact that they have actively sought out rent assistance and moving into a more populated home would create an unsafe situation given the COVID situation. For all the specific rules, please reference the link below.

Summary of CDC Eviction Moratorium Order:

<http://cwaaonline.org/wp-content/uploads/2020/10/CDC-Eviction-Moratorium-Order.pdf>

CDC Eviction Moratorium Order, Tenant Declaration Form, FAQ:

<https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>

Tenant Eviction Declaration Form:

<http://cwaaonline.org/wp-content/uploads/2020/10/tenant-cdc-eviction-declaration-form.pdf>

Wisconsin Frequently Asked Questions:

https://datcp.wi.gov/Pages/News_Media/LandlordTenantCOVID19FAQs.aspx

National Apartment Association Information Page for Wisconsin:

<https://www.naahq.org/covid-19-information-wisconsin>

National Apartment Association Best Practices:

http://cwaonline.org/wp-content/uploads/2020/11/naa_best_practices_resident_exposure.pdf

Form for Tenant Rent Payment Plan:

http://cwaonline.org/wp-content/uploads/2020/10/CWAA_COVID-19_Payment-Plan.pdf

Wisconsin Safer at Home Order:

<http://cwaonline.org/wp-content/uploads/2020/11/EMO12-SaferAtHome.pdf>