

2015 OA-_____

AMENDING CHAPTER 31 OF THE DANE COUNTY CODE OF ORDINANCES TO
COMPLY WITH 2011 ACT 108 RELATING TO LANDLORD/TENANT RELATIONS

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter number are those of the Dane County Code of Ordinances.

ARTICLE 2. Section 31.02 is amended to read as follows:

31.02 INTENT. It is the intent of this chapter to render ~~unlawful~~ discrimination in housing ~~unlawful~~. It is the declared policy of the County of Dane that all persons shall have an equal opportunity for housing regardless of race, gender, age, religion, color, national origin, ancestry, marital status, domestic partnership status, family status, mental illness, disability, physical appearance, lawful source of income, receipt of housing ~~or rental assistance under Title 42, United States Code, Section VIII [the "Section 8" housing program]~~, student status, arrest or conviction record, sexual orientation, military discharge status, political beliefs, status as a victim of domestic abuse ~~as defined in sec. 813.12(1)(am), Wis. Stats., or the fact that a person declines to disclose his or her Social Security Number when such disclosure is not compelled by state or federal law~~, or the person is associated with a tenant union. This chapter shall be deemed an exercise of the police powers of the County of Dane for the protection of the welfare, health, peace, dignity and human rights of the people of this county, and as a fulfillment of the legislative directive of sec. 66.1011, Wis. Stats.

ARTICLE 3. Section 31.03(4) is amended to read as follows:

(4) *Discriminate* and *discrimination* mean to segregate, separate, exclude or treat any persons ~~unequally~~ because of race, gender, age, religion, color, national origin, ancestry, marital status, domestic partnership status, family status, mental illness, physical condition, appearance, lawful source of income, ~~including receipt of housing or rental assistance under Title 24, United States Code, Section VIII [the "Section 8" housing program]~~, student status, arrest or conviction record, sexual orientation, military discharge status, political beliefs, status as a victim of domestic abuse as defined in sec. 813.12(1)(am), Wis. Stats., ~~failure to disclose Social Security Number~~, and association with or formation of a tenant union in apartments or mobile home parks or communities.

ARTICLE 4. Section 31.03(8a) is created as follows:

(8a) Lawful source of income is given the same meaning as defined in Wis. Admin. Code DWD § 220.02.

ARTICLE 5. Section 31.03(12a) is created as follows:

(12a) Receipt of rental or housing assistance means the receipt of any form of financial contribution from a third party for the purposes of creating or keeping affordable housing for tenants, purchasers, or other potential housing recipients, including but not limited to, assistance provided pursuant to Title 42, United States Code, section 1437f (commonly known as the "Section 8" housing program), the HOME Partnership Program, or the Community Development Block Grant program.

ARTICLE 6. Section 31.11(1)(d) is amended as follows:

50 | **(d)** on the basis of age with respect to any person less than 18 years old who is seeking
51 | to purchase, lease, finance or construct housing; or

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53 | ARTICLE 7. Section 31.11(1)(e) is repealed.

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55 | ARTICLE 8. Section 31.15 is repealed in its entirety.

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57 | *[EXPLANATION: This amendment updates Dane County's Fair Housing ordinance to bring*
58 | *provisions regarding the use of Social Security Numbers into compliance with 2011 Act 108,*
59 | *and clarifies that discrimination based upon the receipt of housing or rental assistance,*
60 | *including the receipt of a Section 8 housing voucher, is prohibited.]*