

MILWAUKEE COUNTY BOARD OF SUPERVISORS

DATE: July 27, 2023

AMENDMENT NO. 1 to Item #37

Resolution File No. 23-698

COMMITTEE: Health Equity, Human Needs and Strategic Planning

OFFERED BY SUPERVISOR(S): Clancy

ADD AND/OR DELETE AS FOLLOWS:

Strike the WHEREAS clauses beginning at or near line 33 as follows:

~~WHEREAS, in the case of *Knapp v. Eagle Property Management*, 54 F.3d 1272 (1995), the U.S. Court of Appeals, Seventh Circuit held that “a Wisconsin statute prohibiting housing discrimination based on ‘lawful source of income’ did not include Section 8 vouchers because they were not specifically included in the definition of ‘lawful source of income’ in the Wisconsin code”; and~~

~~WHEREAS, upon review of Wisconsin law, the Milwaukee County Office of Corporation Counsel shared a preliminary legal opinion stating that Chapter 107 of the Milwaukee County Code of General Ordinances related to Section 8 housing discrimination, specifically the enforcement and penalty provisions, is likely unenforceable; and~~

~~WHEREAS, even during the five year period from 2018 to present when enforcement actions were presumed to be permissible, there were zero verified Section 8 discrimination complaints filed with the Office of Corporation Counsel despite that it is highly likely that landlords discriminated against potential tenants based on their use of Section 8 vouchers; and~~

~~WHEREAS, even if complaints had been received, under current organization efforts to pursue action are unlikely to help the specific tenant applicant who suspected discrimination because of the time it takes to undertake legal action even on an expedited basis, and the effectiveness of an enforcement program is questionable, given its costs and timeliness concerns; and~~

~~WHEREAS, if punishments and penalties are unenforceable, the County should consider incentives to encourage landlords to accept renters who participate in the Section 8 voucher program; and~~

Amend the BE IT RESOLVED clause at or near line 67 as follows:

BE IT RESOLVED, the Milwaukee County Board of Supervisors calls upon the Department of Health & Human Services and all other relevant departments to develop a list of viable strategies to incentivize **or compel** landlords to accept renters who are participating in Milwaukee County's Housing Choice Voucher Program; and