

Stay-At-Home and Safer At Home Orders Impose Restrictions on Residential Landlords and Rental Property Managers

Article By:

Daniel A. Kaminsky

On March 23, 2020, the City of Milwaukee Health Department published the Order of the City of Milwaukee Commissioner of Health Imposing A City-Wide “Stay-At-Home” Requirement To Mitigate The Spread of COVID-19 (the “City of Milwaukee Order”)[1]. On March 24, 2020, the State of Wisconsin Department of Health Services published Emergency Order #12 Safer At Home Order (the “State Order”) (the City of Milwaukee Order and the State Order, collectively “Orders”). Generally speaking, the Orders require individuals to stay at home and requires non-essential businesses to cease or otherwise reduce operations. It is important to note that in each case those requirements are subject to various exceptions that allow individuals to leave their home for certain specified reasons, and for certain specified types of businesses to continue operations. These distinctions are addressed in more detail via our March 24, 2020, [Are You an “Essential Business” in Wisconsin Under the Safer At Home Order?](#) article.

Specific to residential landlords and real property managers, it is very important to note that the Orders set forth specific restrictions on residential landlords and rental property managers. Section 4 of the City of Milwaukee Order states that “A landlord or rental property manager shall not enter a leased residential rental premises unless a maintenance emergency exists.” Section 3 of the State Order states that “Landlords or rental property managers shall avoid entering leased residential premises unless emergency maintenance is required.” As a result, while the Orders are in place, residential landlords and rental property managers should not enter leased residential units unless a maintenance emergency exists or emergency maintenance is required.

[1] Please note that the City of Milwaukee Health Department website, on March 24, 2020, indicated that the Stay-At-Home Order “will be modified to align with Governor Evers’ Safer at Home Order on March 24, 2020. As of the publishing of this COVID-19 Alert, we are not aware of any such modification.

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