



# Wisconsin's 60-Day Eviction Ban Frequently Asked Questions

On March 27, 2020, Wisconsin Governor Tony Evers issued Executive Order 15, temporarily banning most evictions and foreclosures. Legal Action of Wisconsin offers this fact sheet to help renters understand how the order affects them. There is also a federal law that protects many, but not all, renters. Legal Action advocates are available to advise low-income people and seniors about their rights during this time. Call us at 855-947-2925 for help

## How long is the ban in effect?

March 27, 2020 through May 26, 2020. The Governor could extend or change it.

## Do I still have to pay my rent?

Yes. The ban did not suspend rent payments.

## Can my landlord give me a termination notice?

Your landlord CANNOT legally give you a termination notice for nonpayment of rent, other minor lease violations, or a regular 28-day or 60-day notice for a month-to-month lease. A landlord CAN legally give a tenant a termination notice if the landlord believes there is a threat of serious physical harm to another person if the tenant does not leave the rental property. When a landlord gives this kind of termination notice, they must attach an affidavit stating that failing to evict that tenant will create a threat of serious physical harm to another person. Your landlord CAN issue termination notices after May 26, 2020 based on any rent you did not pay during the eviction ban.

## Can my landlord file an eviction case against me in court?

Your landlord can't legally file a new eviction case in court through May 26, 2020, even if they already issued a termination notice, unless there is an imminent threat of serious physical harm to another person if you do not move. If your landlord files an eviction in court, they must include an affidavit swearing under oath that failing to evict you will create a threat of serious physical harm to another person. Your landlord can probably file a case in court after May 26, 2020 based on the old notice.

## I am already in court in an eviction case that my landlord filed before the Governor's order. What is going to happen?

Different courts are handling the crisis differently. You should call your local clerk of courts to find out what is happening with your case. You can also call Legal Action of Wisconsin to ask for help.

## What if I already lost my eviction case? Is the sheriff going to make me move?

Not during the ban. Sheriffs cannot remove you from your home even if an eviction judgment has already been issued by a court. There is an exception if your landlord tells the court that failing to evict you would put others in danger. After the ban is lifted, the sheriff will be able to remove you.

## Can my landlord evict me by locking me out or shutting off my utilities?

No. It is always illegal for your landlord to lock you out, shut off your utilities, or take any other threatening action to force you to move without a court order. If this happens, call your local police immediately and seek the advice of a lawyer.