

LEGISLATIVE REPORT 2012



VICTORIES



Restructure Real Estate Board (AB40)

- Changes the Real Estate Board to a new Real Estate Examining Board (REEB)
- Provides the REEB with more autonomy to approve curriculum and forms
- **Importance for REALTORS®:** Expedites the approval process for new forms and courses to keep up with changes in the real estate industry.

Farmland Conversion Fee (AB40)

- Eliminates the farmland conversion fee, which applied anytime land-zoned exclusive agriculture was rezoned to another zoning classification
- **Importance for REALTORS®:** Reduces residential development costs that increase the cost of new homes.

Property Tax Freeze (AB40)

- Places a zero percent property tax cap on local levies
- Allows increases based on net new construction
- Local governments may exceed levy limits through local referendum
- **Importance for REALTORS®:** Saves the average homeowner over \$700 per year.

Variances Expiration Date (SB 300)

- Establishes that variances do not expire unless an expiration date has been established by local ordinance or by zoning board appeals/adjustment prior to the time the variance was granted
- **Importance for REALTORS®:** Provides homeowners and REALTORS® with certainty that a variance cannot be arbitrarily rescinded.

Health Savings Accounts (SS SSB2)

- Creates a state income tax deduction for contributions to health savings accounts (HSAs)
- **Importance for REALTORS®:** Saves the average REALTOR® \$168 per year.

Landlord/Tenant (SB 466)

- Provides that lease provisions are severable, except specified illegal provisions
- Allows landlords to immediately dispose of tenants' personal property left behind upon expiration of lease
- **Importance for REALTORS®:** Requires landlords to provide tenants with check-in sheet.

Wetland Regulation Reform (SB 368)

- Allows for greater utilization of wetland mitigation
- Requires mitigation to be considered at the start of the permit process
- Limits "practicable alternatives" analysis to similar activities on the same or adjacent site
- **Importance for REALTORS®:** Gives the DNR more flexibility to find creative solutions that both enhance wetland protection and promote economic development.

Piers/Ch. 30 Regulatory Reform (SB 326)

- Grandfathers all existing piers that are not subject to DNR enforcement actions
- Eliminates pier registration requirement
- Guarantees all riparian owners have a right to place a pier
- Allows new pier loading platforms to be up to 200 square feet
- Authorizes unlimited maintenance and repair for nonconforming wet boathouses
- **Importance for REALTORS®:** Protects property rights and creates greater certainty for waterfront property owners and REALTORS® as to whether existing piers are legal and whether wet boathouses can be maintained.

YOUR BEST INVESTMENT IN REAL ESTATE: RPAC

The REALTORS® Political Action Committee gives REALTORS® a powerful voice on issues that matter to the real estate industry. RPAC identifies and invests in candidates who understand and support our issues. In short, RPAC supports REALTOR® Party candidates for public office.

RPAC is the only political group in America organized for REALTORS® and run by REALTORS®.



Name _____
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Local Board _____

Total Pledge \$ _____
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Please Note: RPAC-Wisconsin CANNOT accept corporate contributions or more than \$50 in cash.

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Contributions are not deductible as charitable contributions for Federal or State income tax purposes. Contributions to RPAC are voluntary and used for political purposes. The amount indicated is only a suggestion and you may give more, less or refuse to contribute without affecting your membership rights. Up to 70% of each contribution is used by the Wisconsin REALTORS® PAC to support state and local candidates and issues. At least 30% of each contribution is sent to National RPAC. Of that amount, 90% is used by National RPAC to support federal candidates and is charged against your limits under 2 U.S.C. 441a, while the remaining 10% is used for other Federal grassroots political activities.

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MORE VICTORIES

Presumptive Approval/Deadlines for DNR Permits (SB 326)

- Creates greater certainty for property owners applying for permits near navigable waterways
- Shortens current permitting timelines by over 15 days
- Permits deemed approved if the DNR does not make a decision within statutory timelines
- Shifts burden of proof to person challenging the DNR decision
- **Importance for REALTORS®:** Saves property owners and developers considerable time and money by adding greater certainty to the permitting process.

Nonconforming Structures and Substandard Lots (SB 472)

- Allows property owners to perform unlimited maintenance and repair on nonconforming homes and buildings (eliminates the 50% rule)
- Prohibits counties from enacting regulations that are more restrictive than NR 115 with respect to maintaining, improving and expanding nonconforming structures, and building on substandard lots in shoreland areas.
- **Importance for REALTORS®:** Protects property rights, removes barriers for lenders and title companies, and encourages greater investment in older homes and neighborhoods.

Vacant Land Condition Report (SB 136)

- Requires sellers to complete a condition report when selling vacant land
- **Importance for REALTORS®:** Reduces the threat of litigation by helping to ensure that conditions negatively affecting the property are properly disclosed.

Development Moratoria Framework (SB 504)

- Creates a regulatory framework for local development moratoria
- Specifies that cities, villages, towns can enact development moratoria, but not counties
- Establishes that development moratoria can be enacted only for strictly defined reasons
- Creates procedures for enacting development moratoria such as a maximum duration of 18 months
- **Importance for REALTORS®:** Eliminates abuses in development moratoria that drive up the costs of new housing.

Condominium Disclosure/Condition Report Documents (SB 539)

- Clarifies that a buyer has five days after seller delivers condo disclosure documents to either rescind offer, or request missing documents
- Provides that condo addendum materials are required only if the real estate condition report (RECR) is required
- Explains that an executive summary is not required for the RECR if a small condo is using abbreviated disclosure documents
- **Importance for REALTORS®:** Clarifies the law and closes loopholes so that buyers, sellers and REALTORS® know what information must be provided in condo transactions.

Landlord/Tenant Preemption (SB107)

- Prohibits local communities from adopting standards that are more restrictive than state standards related to tenant criminal history, tenant financial condition, time of lease showings, and security deposits
- **Importance for REALTORS®:** Saves landlords thousands of dollars by allowing them to better screen prospective tenants.

WHY CAN'T YOU STAY OUT OF POLITICAL CAMPAIGNS AND LOBBY FOR US AFTER THEY'RE ELECTED?

If you want to be successful, it's crucial that we stay involved in campaigns. With so many demands on their time and attention, elected officials listen most to those they trust -- the people who helped elect them. If we do not participate in elections or wait to show our support until after elections, we will appear as opportunists, asking for favors with nothing to offer candidates in terms of support. This makes protecting your business all the more difficult.



Wisconsin REALTORS® Association

4801 Forest Run Road, Suite 201
Madison, WI 53704-7337

www.wra.org e wra.@wra.org
p 608.241.2047 800.279.1972 f 608.241.2901



Mail in envelope to:

WISCONSIN REALTORS® ASSOCIATION

4801 Forest Run Road, Suite 201
Madison, WI 53704