



MOLD INFORMATION FOR CONSUMERS

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Mold: Tenant/Landlord Issues

Excessive moisture in a dwelling can contribute to discomfort and aggravate respiratory conditions such as asthma. When moisture problems occur in rental properties, conflicts may sometimes occur when trying to correct them. You should always give your landlord the opportunity to correct building defects and should immediately notify your landlord when you notice moisture problems. Alternatively, as a tenant, you have the responsibility to immediately repair moisture problems for which you are responsible.

Prior to entering into a lease:

Carefully inspect the apartment for evidence of moisture problems such as stained carpeting, water stains on walls or ceilings. Pay close attention to plumbing locations. Take note of musty odors. If you or other residents have asthma or other respiratory conditions, you may wish to avoid units with evidence of water damage, older carpeting, smoking and slab-on-grade or below-grade units which may have higher relative humidities.

Manage Moisture and Allergens:

- Maintain humidity below 50%. Using air conditioning or a dehumidifier will help.
- Manage insects which can be a significant source of allergens.
- Vacuum frequently, preferably with a HEPA vacuum (a HEPA vacuum has a filter capable of removing particles as small as 0.3 microns at 99.97% efficiency).
- Refer to mold guidance if you have moisture damage or encounter mold, by clicking on the links above.

Resolving Conflict:

While dampness and mold are typically not written into local housing ordinances, landlords do have a duty to keep premises in a reasonable state of repair and to make necessary structural repairs. Tenants have certain rights where conditions in the premise materially affect health or safety of the tenant. (Wisconsin Statutes 704 Landlord and Tenant

(<http://www.legis.state.wi.us/statutes/Stat0704.pdf>) (exit DHFS)

In resolving conflict, you should always first contact your landlord and describe the condition you are concerned about. Familiarize yourself with the information found in the [Resources](#) link above. Document the condition in detail including photos, date, time, who you notified and when.

Contact your [local health department](#) and/or housing/building inspector and describe the mold and/or moisture condition you are concerned about. Either authority may be able to help confirm the problem and recommend an appropriate remedy.

If no resolution:

If a mold or moisture condition has been verified and a landlord fails to correct it, you may file a complaint with the [Department of Agriculture Trade and Consumer Protection](#) (DATCP) (exit DHFS). They can be reached at 800-422-7128.

When considering questions about lease agreements, it would be wise to first seek legal assistance prior to taking any action on the lease or withholding rent. (For assistance identifying legal aid sources, you can click on the links below:

Judicare: <http://www.judicare.org/wils.html>) (exit DHFS)

Search Wisbar: <http://www.wisbar.org/lawyersearch/> (exit DHFS)

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Wisconsin Department of Health and Family Services

Protecting and promoting the health and safety of the people of Wisconsin