

Frequently asked Questions: EVICTIONS

What is an eviction?

An eviction is a legal process through which a landlord may take possession of the unit back from the tenant due to a breach of agreement on the tenant's part. Common reasons for this include (but are not limited to) nonpayment of rent and breaches of the lease such as unauthorized guests, criminal activity, or waste violations.

The eviction process begins when the landlord serves the tenant a written notice under Wis. Stat. 704.17. An eviction is not a court document. It is only for the landlord's files. The notice should specify the tenant violated the lease, and the number of days the tenant has to "cure" the issue and remain in the unit (if that is an option) or move out, with the understanding that if neither of these happen, the landlord is within their rights to begin the court process.

Check out tenantresourcecenter.org for more information including details on the different types of notices and example letters to send to your landlord!

What should I expect of the eviction notice?

According to Wis. Stats. 704.17 & 704.21, all eviction notices must:

- Be in writing
- State the number of days the tenant has to take action.
- State whether the tenant has the right to cure (fix) the problem.
- State whether the tenant can fix the problem and can stay or if they have to leave.
- State whether the rent is due (should include the amount) and which lease clause the landlord believes has been broken.

The eviction notice the landlord can serve depends on your lease, the violation, and (sometimes) how many notices the tenant has gotten in the last 12 months.



What is CCAP?

CCAP stands for Consolidated Court Automation Program. It's Wisconsin's free, public, online court record website. Users can search for case records and information here:

<https://www.wicourts.gov/casesearch.htm>

When can I get the eviction removed from my record?



Once an eviction is filed in small claims court, it takes 2-10 years to remove it from CCAP. CCAP records related to housing might make it harder to get an apartment. Wis. Stat. 758.20(2)(a).

You can check the [legaltuneup](https://legaltuneup.org) tool to see if your eviction can be removed. If it can, we'll help you fill out the right forms and submit them to the court.

Scan the QR code or visit legaltuneup.org to get started!

