

**Elsen, Nikki**

---

**From:** Reinhart, David  
**Sent:** Tuesday, November 26, 2013 11:11 AM  
**To:** Elsen, Nikki  
**Cc:** Lehrke, Teri  
**Subject:** FW: Ref No. 11310: 320 South 8th; Application for Hardship Waiver

She has the incorrect code section below. It should be 8.07(I)

David Reinhart  
Chief Building Inspector  
City of La Crosse  
Phone: 608-789-7564  
Cell: 608-386-1973  
Fax: 608-789-7589

---

**From:** McDowell, Kathleen [mailto:kathleen.mcdowell@mto.com]  
**Sent:** Tuesday, November 26, 2013 10:57 AM  
**To:** Reinhart, David; IR - Inspection  
**Cc:** McDowell, Maureen  
**Subject:** Ref No. 11310: 320 South 8th; Application for Hardship Waiver

Following up on a telephone call today to Dave Reinhart from my sister Maureen McDowell, I write to request a hardship waiver of Municipal Code 8.07(A) et seq for the property located at 320 South 8<sup>th</sup> Avenue, LaCrosse, Wisconsin.

My sister and I (born and raised in LaCrosse) are the owners of that property where my 85-year-old aunt lives. My sister, a school teacher who lives in LaCrosse County, and I bought that property in the early summer of 2009 at a sheriff's sale following foreclosure. We have made thousands of dollars of improvements to the house, including installing new aluminum siding, repairing broken windows, installing new flooring, upgrading the plumbing, and painting. My aunt (Elsie McDowell) has lived in the house since 2009; she does not pay rent to us.

We were not informed of or aware of any rental property registration requirement when we purchased the property. I understand that the purpose of the ordinance (which appears to have been enacted after we bought the property) is to control the number of rental properties in the city, out of concern that rental properties may not be as well maintained as owner-occupied properties. I would submit that the record here does not support such a concern. Not only have we invested thousands of dollars in improvements, but the house and yard are being maintained in pristine condition by my aunt and my sister. It would make no sense to "evict" my 85-year-old aunt from the property (by 12/12/13, no less), and thus have the property sit vacant.

I therefore request a hardship waiver on the grounds that 1) we were not aware of any rental restriction or registration requirement when we bought the property; 2) the rationale behind the rental restriction is not borne out in this case; 3) the property has been occupied for over four years by the same person, a close relative of the owners who is now 85 years. It would indeed be a hardship for her – and for us – if she were no longer able to live in the house she has come to call home.

If you have any questions or need further information, please feel free to call me at 213-683-9134 or my sister Maureen at 608-788-8632. Thank you for your consideration.

**Kathleen M. McDowell**

**Munger, Tolles & Olson LLP**

355 South Grand Avenue | Los Angeles, CA 90071

Tel: 213.683.9134 | Fax: 213.683.5134

[kathleen.mcdowell@mto.com](mailto:kathleen.mcdowell@mto.com) | [www.mto.com](http://www.mto.com)