

# City of La Crosse Human Rights Commission

## COMPLAINT FORM

### COMPLAINANT INFORMATION (YOURSELF)

Name: Patricia Osley  
Address: 207 Avon Street, La Crosse, WI, 54603  
Phone: (608) 792-8054

### RESPONDENT INFORMATION (PERSON/PERSON(S) YOU FEEL HAVE DISCRIMINATED AGAINST YOU)

Name: Spenser Nickelatti (current cube) Munson Realty management Barb Engelhart  
Address: Spenser - 704 Sand Lake Road, Okauchee, WI 54601, Munson Realty 1400 Pine Street La Crosse WI 54601  
Phone: Nickelatti - One Trust Realty - 608-433-9344, Munson (608) 785-7187

### TYPE OF DISCRIMINATION ALLEGED

Check the appropriate box and then indicate the address or location of facility you were denied the equal opportunity to use or enjoy.

Applicants must be able to demonstrate that they were denied the equal use/enjoyment of a facility located in the City of La Crosse.

Category:  Housing  Place of Public Accommodation or Amusement [i.e. restaurant, hotel, retail shop]  
 City Facility

Address/Location: 207 Avon Street  
La Crosse, WI, 54603

Barb Engelhart  
(608) 386-6446

### Basis (Check all those you feel may apply):

- Sex
- Race
- Religion
- Ancestry
- Age
- Handicap
- Marital Status
- Color
- National Origin
- Lawful Source of Income
- Physical Appearance
- Sexual Orientation
- Gender Identity or Expression
- Political Beliefs
- Familial Status
- Student



## FACTS

To the best of your ability, give a detailed statement regarding the facts giving rise to this complaint. THE STATEMENT MUST INCLUDE THE DATE OR DATES OF THE ALLEGED DISCRIMINATION. If the event occurred more than 120 days previous to the file date, we are not able to act upon the respondent, unless it is a "continuing" act of discrimination. Additional pages may be attached to this form if necessary.

**Description:** On December 3, 2019 I rented an upstairs 3 bedroom from Barb Engelhart, who neglected to inform me that she obviously had this building on the sale market at the time. Mid February she told me that Spenser Nickelatti was interested in the building and would be coming to look at both of the units, she also assured me that part of the deal is I got to continue to stay at the current rent then of \$500/month. He offered to buy it "as is" she stated, so she sold building. The sale closed on March 11, 2020, within one week I began receiving mail from Munson Realty Company with forms to fill out giving them all of my personal information. I never filled it out. I then began receiving numerous text messages telling me to do such and so and then I got a letter stating my rent was going up by \$450 to \$950/month. It is at this point I wrote to Spenser Nickelatti in an attempt to find out just exactly what was going on, because I was under the impression and had been told that things would be remaining the same as far as the rent amount went. He never acknowledged receiving the letter.

On May 5th, I received a phone call from what I think was the receptionist at Munson Realty telling me my rent would be \$950 on June 1st, so I wasn't surprised and she said several times "as per the owner's request". I immediately looked up the Wisconsin statute concerning the legal way in Wisconsin to be notified as I feared I was not being notified properly. This woman whose name I do not know because she never introduced herself then went so far as to accuse me that I was "stepping" all Munson Realty correspondence from being delivered to me via the postal service here in La Crosse. I don't believe one can even attempt such a thing, anywhere she said "we've sent you several letters and they keep coming back as undeliverable. Now up until May 5th, 2020 I was receiving their correspondence just fine. I want to see these letters that have been returned. I do not honestly believe anything was ever sent. But during my research on how to notify tenants of rent increases it must be done in writing through regular mail or certified mail service. This was not done, and that it must be delivered a full 28 days prior to the date the increase. Now as I said she called me on May 5th, 2020 which after just checking my calendar would make the 1st of June the 28th day. Where it is my understanding of what I read in the Wisconsin statutes the 28th day must end prior to the effective date. However this was not done by regular or certified mail, it was verbal which again from the way understood what I was reading is completely illegal under Wisconsin law. A month prior at the height of the onset

of the Novel Corona Virus 19, workers came and I can only assume remodeled the unit below me #205 Aven Street. I have an incurable autoimmune disease called Sarcoidosis which affects my lungs. I am not sure if it was industrial glue, or varnish, but something began stinking up my apartment, I opened windows and turned on fans in an attempt to rid my house of the stench, as it immediately closed up my lungs, making my conditions very bad. I also have been diagnosed with COPD. This was right after Governor Evers declared the first "Safer at home" order. But because I was unable to breathe at all, I was forced from my apartment for over 10 hours, until the smell had disapated. I continued paying the \$500/month which I had been told would continue to be the rent here.

~~Information Day~~ During the week of May 17, 2020 - May 23, 2020 one of Munson Realty employees came to my door and ~~accused~~ me of having done something in my kitchen with water to have caused the ceiling in unit # 205 to fall to the floor. This man was extremely rude shoving his cell phone into my face with what I now know was a picture of the fallen ceiling. He demanded entrance to my home, went into my kitchen and began "biting" at me once again about having done something to cause what had occurred in unit 205. He suddenly disappeared and came back with the maintenance man who then looked under my kitchen sink and turned on the water to see if it was leaking under the sink which at that time it was not. Informed the Munson employee he did not see any

wetness under the sink and they left. The Munson employee went into unit 205. ~~and~~ Immediately upon their walking outside the breaker which has periodically tripped off since I've moved in, so I went downstairs to look for this man. I walked to the front door of 205 and it was standing more than halfway open, I approached the door, knocked, repeatedly called "excuse me sir are you in here", got no answer. I then entered unit 205 because I know there is basement access from that unit and I needed to go into the basement and flip my breaker back. Munson realty had recently changed the basement door lock, because I had informed them around mid-April that it was clear from what I could see in said basement that vagrants and the homeless were clearly getting into it somehow and sleeping there. Before they changed the lock I had a key to the basement so if my breaker would trip I could just go and flip it back myself without having to contact them. Even after changing the lock, I would find the basement door standing wide open and informed them again that whomever these people or person was could obviously either break into the basement yet, or their workers who'd they claimed had been around were leaving the door wide open upon their departure. The weekend of May 22-Friday people finally moved into unit 205, although I had gotten a text I believe it was the end of April informing me that I now needed to be quiet, and I really make no noise anyhow because people were moving into the unit.

A month later someone did. I had also received a text message and also a paper on good Friday of this year to let me know that concrete was being poured on Saturday. There is no concrete yet. In fact no one even showed up, but the vehicle was parked on the street per their request.

On May 24th which was a Sunday, my toilet overflowed repeatedly causing water to run into the unit below. It took all afternoon to correct this problem and of course the tenant below called maintenance to see what was going on in my unit. I received a text stating in part and I quote "From our professional opinion, these acts of water damage are being done deliberately. We will need full access of your unit from 5am-5pm." But of course Monday May 25th, 2020 was Memorial Day, a "time and a half" pay holiday, so at about 10am or so on Monday the maintenance showed up and said to me that plumbers don't work today, so we'll be here on Tuesday which would of course be May 26th, 2020. I'm sorry, but I do know for a fact that plumbers do indeed work emergencies on any holiday, so I just assumed Munson's too cheap to pay the extra holiday ~~should~~ pay, should an actual plumber be needed. On May 26th maintenance arrived between 10:00am - 10:30am. took the toilet apart and left and was gone about 30 minutes getting the "wax ring" to seal toilet he stated on returning. While trying

to replace the wax ring he used an excessive amount of profanity, and at about 12:30pm called an actual plumber to help him finish the job. The plumber mentioned that care is to be used when sitting down on the toilet as he has no idea what even is holding it in place.

May 27<sup>th</sup>, the reoccurring kitchen plumbing resurfaced again causing leaking into the lower unit, which they called to complain to maintenance about because I caught it leaking in less than 5 minutes myself, and it wasn't even another 10 minutes and maintenance was knocking at my door. I finally fixed the issue for good by gluing the spray hose onto the thingy under the sink.

Yet on May 28<sup>th</sup> @ 12:29pm maintenance shows up yet again to inform me that the plumber was there to replace the kitchen faucet and piping. This was a non-emergency entrance. It was Not Leaking when he arrived. By Wisconsin Law I should have been given a notice of at least 12 hours regarding this repair as it was NOT an emergency. Approximately 1:30pm - 1:45pm work was completed and they were gone.

On June 9, 2020 at approximately 8:24pm I called to report a different breaker tripping and asked for someone to please come flip it back. Since the day prior, June 8<sup>th</sup>, 2020, someone had to come out at two different times of the day to flip 2 separate breaker switches, and because of that I was told by the maintenance

he had to call the Munson company and he'd call me right back. He did immediately call me back to inform me that I would have to call this man myself directly, gave me the number and I called him. Because ~~it~~ it was "storming" they refused to send anyone out, but an electrician would be here the following day, which would be June 10th, 2020. It is now June 16th, 2020. I've got 2 fir sure breakers tripped and not working, have had to throw out some food because the last breaker to go out also ran the outlet that my dorm sized refrigerator was plugged into.

I have no choice now but to call a building inspector for the city as I do not feel safe here any longer and the personnel of Munson Realty have I guess no regard for human safety and life.

As I am finishing this up, maintenance had to come here for yet another water issue, I guess of the slant of the entire building every time I wash the dishes any excess water that may be on the counter, or in the bottom of the dish drainer runs off the counter and onto the floor and pools there. And a few weeks of this going on, it began to run into the apartment below and of course they called maintenance to come see if a pipe or something broke under my kitchen sink, I didn't even realize it was a pool of water on the floor. Because until the past few weeks the water

did not even pool on the floor in such a many, so obviously the building has settled more as of late. I do know that you can actually ~~see~~ feel the floor sloping just by walking on it and in December 2019 you could not feel the slope of the Kitchen Floor by merely walking across it. The day the maintenance showed up about water leaking in the Kitchen was either Saturday June 20th or Sunday June 21st. So when he got done looking I came right out and asked him if he intended to go downstairs since he was here to flip my circuit breakers back on, and he looked at me very puzzled. I then told him that I had called and left my message on Munson Realty's answering machine regarding the possibility of their now being 2 for certain and possibly 3 breakers tripped off.

I was told that nobody at that office "EVER" told him about my message at anytime between Monday June 15th til the day he came to my unit on a different matter and I told him. He just asked me why I didn't call the emergency number that is on their message for two reasons, this happened at 10:30 pm and I didn't consider it an emergency, so it could therefore wait til Monday June 22nd to come fix it. But for nobody ever even tell him they needed



attention to them, clearly shows to me the complete and total disregard to human life that obviously Munson Realty staff has for the tenants.

Electricity problems of any kind are no laughing matter, and could've have potentially sparked a fire in either unit. Having experienced a fatal house fire, I was High Alert because of my PTSD issues and anxiety issues. Every out of the ordinary noise and smell, I fully investigated. I have lost 2 daughter's in a housefire and recieved burns that required skin-graft surgery to correct. I don't ever need to be in a like situation EVER AGAIN, and the completely lack of communication, which I feel was a deliberate act perpetrated by the staff at Munson Realty. Even ~~tho~~ though they were turned on approximately 7-8 days after my telephoning them, I was an absolute basket case because of my PTSD and anxiety.

Thank, you.

Patricia Osley