



Lockouts, Open-ups, and Shut-offs

Self-Help Eviction Fact Sheet

A landlord cannot evict you without first going to court. Some landlords use self-help eviction to force tenants to leave such as shutting off utilities, changing the locks, removing doors or harassing the tenant in other ways. Self-help eviction is illegal in Wisconsin. This means, your landlord cannot “take the law into his own hands” when he or she wants you to move out. See Wis. Adm. Code DATCP 134.09(7). If you are at risk of eviction, Legal Action may be able to help you. Call us at (855) 947-2529.

What is a self-help eviction?

A self-help eviction is an act by a landlord to force a tenant out of the house, without going through the proper court process. There are three common methods of self-help eviction.

- Lockout
 - When the tenant is not home, the landlord changes all the outside locks, so the tenant cannot get back into the home.
- Open-Up
 - A landlord removes the home’s doors, locks, or windows, thereby making the home exposed and unlivable.
- Shut-Off
 - A landlord shuts off all electricity, water, or heat to the home.

What can tenants do?

All these self-help evictions are illegal! If your landlord does any of these things, or otherwise forces you out of the home without a court order, you have options:

- Call your local police or sheriff’s department. If possible, have any documentation that you are a tenant (for example, a copy of your lease, rent receipts, or texts with your landlord).
- You can contact an attorney for legal advice.
- Negotiate with your landlord, if possible, to get back in the home.
- File a claim in court. You may have legal claims against your landlord for violations of state law and regulations. And you may be able to sue for double any costs incurred, plus court costs and reasonable attorney’s fees.
- Call your local utility about getting reconnected, that you are still living there.
- File a claim with the Wisconsin Department on Agriculture, Trade, and Consumer Protection by calling (800) 422-7128, or online at <https://mydatcp.wi.gov>.
- Keep track of all your expenses when you have been forced out (for example, motel bills, restaurant or other food costs, transportation expenses, clothing you had to buy). Keep a record of what is said between you and the landlord, and dates and times.

What about my property?

If you cannot get back into the property after trying the strategies above, make a list of all the property in the home. You can also ask the landlord to allow you to pick up some or all your property. If you end up in court and are successful on the claim, your landlord may be liable for double the cost of any loss you incur, court costs and reasonable attorney’s fees.