
Wisconsin Legislative Council

ACT MEMO



Prepared by: Scott Grosz, Principal Attorney

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2021 Wisconsin Act 166
[2021 Senate Bill 561]

Changes to Wisconsin
Condominium Law

2021 WISCONSIN ACT 166

2021 Wisconsin Act 166 makes various changes to Wisconsin condominium law, relating primarily to the business organization of a condominium association, maintenance and inspection of association records, and financial audits of a condominium association.

Organizing a Condominium Association

Prior law directed that a condominium association shall be organized as a profit or nonprofit corporation or as an unincorporated association. Beginning on the effective date of the act, March 13, 2022, Act 166 prohibits the organization or re-organization of a condominium association as a for-profit corporation.

Maintenance and Inspection of Association Records

2021 Wisconsin Act 166 clarifies the obligations of a condominium association to maintain financial records, meeting records, and other condominium documents, and also clarifies the manner in which a unit owner may inspect and copy such records, including the records of an entity controlled by an association. Among its provisions, the act specifies that an association is not required to maintain any **financial records related to the declarant's initial construction of common elements if the costs of construction of such elements are not assessed against unit owners as common expenses and no contract related to the construction is made by or on behalf of the association.** The act also directs an **association for a condominium with 100 or more units to maintain an internet site for the association's records.**

Financial Audits

State law prescribes the manner in which a financial audit of association records may be requested **during a condominium's period of declarant control and for one year thereafter. In addition to technical changes to this provision, the act specifies that, following expiration of declarant control, an association's financial records may be audited upon request of a majority of unit owners.**

Effective date: March 13, 2022

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