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September 23, 2026

VIA ELECTRONIC MAIL:

Board of Directors, Heritage View Condominiums

[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

RE: Unlawful Prohibition of Campaign Signs

Board of Directors of Heritage View Condominiums:¹

We write on behalf of our client, Cody Mercado. It has come to our attention that you are demanding Mr. Mercado remove a Tom Tiffany campaign sign he is displaying from his condominium unit's private balcony. Your demand is a direct violation of Wis. Stat. § 703.105(1m), which states:

(1m) No bylaw or rule may be adopted or provision included in a declaration or deed that prohibits a unit owner from displaying in his or her condominium a sign that supports or opposes a candidate for public office or a referendum question.

On September 16, 2026, Paige Popowczak emailed Mr. Mercado "a reminder" that the Condominium Declaration for Heritage View Condominiums "prohibits signs of any kind to be displayed to the public view on any Unit without the written consent of the Board of Directors." In response, Mr. Mercado asked for the Heritage View Board of Directors' approval to display a standard-size campaign sign supporting Tom Tiffany, the Republican nominee for Wisconsin's 2026 gubernatorial race. Ms. Popowczak indicated in response that the Board did not approve and that Mr. Mercado would have to take the sign down.

¹ Because Mr. Mercado has been denied direct contact information for the Heritage View Condominiums Board of Directors, and has instead been instructed to communicate through MPC Property Management, this letter is submitted to Paige Popowczak and Michelle Petersen of MPC Property Management for immediate delivery to the Board of Directors.

Heritage View's position relied on Article 10(F) of the Declaration, which prohibits signs "displayed to the public view on any Unit without the written consent of the Board of Directors." Its position also appears to be rooted in Article 2.1 of the Rules and Regulations of the Heritage View Condominium Association, Inc., which imposes the same basic requirement.

As you know, Wisconsin Statutes Chapter 703 governs condominium associations like Heritage View. Wisconsin Stat. § 703.105(1m), in particular, reads:

(1m) No bylaw or rule may be adopted or provision included in a declaration or deed that prohibits a unit owner from displaying in his or her condominium a sign that supports or opposes a candidate for public office or a referendum question.

Both Article 10(F) of the Declaration and Article 2.1 of the Rules and Regulations violate Wis. Stat. § 703.105(1m). Heritage View's reliance on those provisions to attempt to prohibit Mr. Mercado from displaying a political campaign sign from his unit's private balcony is unlawful.

Please respond to this letter within 7 days confirming you will drop your attempt to prohibit Mr. Mercado, and any other residents, from displaying campaign signs in their respective condominium units. Please also confirm that you will repeal Article 10(F) of the Declaration and Article 2.1 of the Rules and Regulations, or agree in writing that you will no longer enforce the unlawful Declaration and Rules Articles identified in this letter.

If we do not hear from you, we will commence legal action against you on behalf of Mr. Mercado.

Sincerely,

WISCONSIN INSTITUTE FOR LAW & LIBERTY, INC.

A handwritten signature in black ink, appearing to read "Kirsten Atanasoff". The signature is fluid and cursive, with the first name "Kirsten" being more prominent than the last name "Atanasoff".

Kirsten Atanasoff
Attorney