



Iowa Landlord NewsBrief - February 2002

Sample Rental Policies

Looking for some guidelines for a policy for your tenants? Perhaps a few of these sample rental policies might help you set some policies or augment existing policies you already have in place...

- Renter's insurance is required for your lease. A copy of the policy must be in our file. You are responsible for the cost.
- We are not responsible for mail service. The rent must be in our possession when it is due.
- If you give us a check that is return to us unpaid, a check charge of \$50 will be charged to you. If this happens twice in one year, we will no longer accept personal checks.
- We do not accept dirty rental units as being normal.
- You will be given a new battery for your smoke detectors every July and December. If we find an inoperable smoke alarm, this is reason to terminate your rental agreement.
- You are not permitted to repaint any walls, surfaces or other items in the rental unit without permission. You cannot remove any floor coverings without permission. Permission is given only in writing.
- Trash is to be placed in containers covered with metal or plastic covers.
- No vehicle of any kind is to be repaired or serviced on the premises. No vehicles are to be parked any place other than in the areas designated by your rental agreement.
- You are totally responsible for your guests, friends, and families actions. You must have written permission for anyone other than the persons on the lease to be a guest staying in your unit for longer than a total of seven days.

If you do not have written permission you could be considered in violation of your rental agreement.

These are just a sample of some of the policies that could be in a lease or rental agreement.

We are well into the New Year.

Lots of things are going on, and we

have been busy. Joe Kelly has been preparing for, and working with the Legislature on issues that pertain to Landlords and property management. Some of these important issues are reflected in Joe Kelly's article found in the newsletter. He will be reporting to us his insights and progress with this Legislative Session in future issues.

DIALOGUE WITH DIRECTORS



At the Fall Seminar, we discussed Military Call-Up and how that could affect you as a landlord. Timely and insightful information allows you the knowledge advantage for managing property and tenant issues for better profits. To that end, we are already working on the Spring Seminar that will be held in May.

Speaking of Spring, we will be resuming our ILA Breakfast Meeting at the Cub's Club (and other venues) in the next month or so. Be sure to check the website and future newsletters for details of the next meeting.

We would like to remind you that our Website (www.iowalandlord.org) contains useful information that is assessable 24 hours a day. For members, our Forms Library is assessable in the members' area of the site.

The past editions of the e-newsletter can be found there as well. Not to mention the useful Rental Search Engine that is publicly available so that you can advertise your properties.

We do encourage you to contact us at ILA with any information or questions that we can help you with. Our e-mail address is: ilaservices@iowalandlord.org. You can leave an e-mail for us 24 hours a day, at a time that is convenient to you!

Be sure to remember that this newsletter is available on the ILA website to members at no charge. For more information regarding this - **SIGN UP TO RECEIVE OUR MONTHLY E-NEWS LETTER**. If you are not receiving this important publication, send an email to information@iowalandlord.org.

This Month's February 2002 NewsBrief

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| • WebSite: www.iowalandlord.org | | | |
| • Email: ilaservices@iowalandlord.org | | | |

ILA Legislative Report

The Iowa Landlord Association (ILA) has approved a legislative agenda for the 2002 session which begins on January 14th. ILA has three priorities for the upcoming session. Our top priority is to have the residential rental property classification changed from commercial to residential. It's been a priority for many years, but the reason we're making a push in 2002 is that we have some help this time. The top fifteen residential property developers in Iowa are forming a coalition and have hired a law firm in Des Moines that has five lobbyists. One of the principals of the law firm is Doug Gross, former top assistant to former Governor, Terry Branstad. ILA lobbyist, Joe Kelly, has met with Doug Gross to craft the strategy for this important legislative item. Make no mistake about it, passing a law changing the property classification for residential rental property will not be an easy task. As I have traveled the state talking to landlords, everyone is talking about the need to change the property classification. We're going to get the chance to see how well our grassroots network will work. Crucial to the success of this effort will be getting landlords from all across the state talking to their respective legislators about this legislative item.

Last session HF 518, a bill which would raise the limits in small claims court from \$4000 to \$5000, passed the House. HF 518 did not get taken up in the Senate. It is



Joe Kelly
ILA Lobbyist

alive for 2002. The bill is in the Senate Judiciary Committee where members decided to let the bill carry over into 2002. There are two likely opponents to HF 518. Small town attorneys wouldn't like the bill because small claims court is designed for people to use without attorneys. The higher the small claims limits, the fewer cases available for attorneys. In addition, the magistrates don't like the bill because it gives them a larger workload. ILA will be joining other small business groups in seeking final passage of HF 518 in 2002.

ILA will be seeking a law, or administrative ruling, which will allow landlords, and possibly employers, the right to access the criminal information file of the Department of Public Safety, the sex offender file, and other pertinent public informational files. This information is available now, but there are few groups in the state that have the right to hook up with the state's computer system to access records. One such group is the nursing home industry. Legislators wanted to make sure that potential employees of nursing homes were checked out in a timely manner before being hired. Landlords certainly need timely information in order to protect existing residents. ILA will continue working so that members can have timely access.

These are the goals on the offense of our agenda. We also must be concerned with playing defense against bad legislative ideas and playing defense to protect what we've gained at the legislature over the last decade.

NAHB: New Building Code For Disability Groups

The U.S. Dept of Housing and Urban Development has officially endorsed a new building code document that clarifies the federal Fair Housing Accessibility Guidelines for builders and helps ensure that new apartments and Condominiums are assessable to people with disabilities. The endorsement has been eagerly awaited by the nation's home builders who urged HUD's action and have given their strong support. For the first time since the fair housing accessibility law was enacted, this document puts the federal accessibility requirements where they belong -in a building code. It was developed through the cooperative effort of the NAHB and the International Code Council, which also includes HUD, building industry representatives and disability rights groups.

(US Newswire)

USDOJ and Accessible Design

The US Department of Justice is investigating "pattern or practice" violations of the Fair Housing Act's accessible design requirements. Pattern and practice claims are filed when alleged violations are found on multiple properties built by the same developer and/or architect. USDOJ's stepped-up involvement may signal a shift in the way the accessible design requirements are enforced. To date, the majority of accessible design litigation has been brought by private fair housing advocacy organizations against single-site properties, often with the involvement of the US Department of Housing and Urban Dev.. The new USDOJ effort could mark the start of an enhanced effort to bring suit against multi-region developers and architects with recent construction in multiple jurisdictions.

If Your Credit Cards Are Stolen ...

Don't forget to notify the credit reporting organizations. An alert will be put on your name and Social Security number. You will have to be contacted personally by

telephone before any new credit can be approved by a financial or retail company.

Equifax: 800-525-6285
Experian 888-397-3742
Trans Union 800-680-7289

Getting A Lock On Things

Have you heard the term, "Premise Liability Lawsuit"? If not, consider yourself lucky. This kind of lawsuit is what can happen to you if you are not careful to always change the locks before renting to a new tenant. Carelessness in this area can hurt both you and your resident. Consider the following incidents, and ask yourself, "Could that have happened to me"?

A super resident moves out, due to a transfer to another state. No need to change locks, you reason. They were trustworthy, returned the original keys, and won't even be in the state. Three months later, your new tenant's daughter comes home from school, opens the door and finds the brother of your previous tenant (who was just released from prison and has a copy of the previous tenant's key from a visit two years ago), passed out on their couch. The Premise Liability Lawsuit is for two years of therapy the girl needs from the trauma of the incident.

In a second scenario, a tenant is raped, and the investigation reveals no forced entry. Eventually the rapist is caught, and turns out to be the handyman to whom you had given a key to do repairs before the tenant moved in. You never changed locks after he left since he'd only had the key for one day, and had given it back when the job was completed.

In both cases, the landlord was careless, and liable for injury to the tenant. He or she just didn't want to take the time or expense to take the old lock, and re-key, or replace it.

First of all, replace those cheap locks you've been getting with a lock that's rated by ANSI (American National Standard Institute) as superior to your cheaper light duty locks.

Then document your lock changes, and have your new resident certify the receipt of their new keys. That should keep you out of liability problems.

(from Mr Landlord, December 2001 issue)

Affordable Housing

The U.S. Conference of Mayors' annual survey of hunger and homelessness reports that 86 percent of the cities surveyed reported an increase in requests for assisted housing, and requests for emergency shelter rose an average of 13 percent. Lack of affordable housing was the most cited cause of homelessness, followed by low-paying jobs, substance abuse and the lack of needed services, domestic violence, unemployment, poverty, prison release and changes and cuts in public assistance.

Civil Penalties and HUD

On December 6, 2001 HUD issued final rules (66FR 63435) expanding its authority to impose civil money penalties on participants in the Department's multifamily programs. The rule expands the list of violations and parties that can be fined for FHA financed properties, and it allows HUD to impose such penalties on owners receiving project-based Section 8 assistance. Violations subject to civil money penalties include failure to maintain the premises, failure to provide acceptable management and failure to provide access to accounting records. The changes apply to violations occurring on or after January 7, 2002.

Most Costly Mistakes Almost All Landlords Make

1. Not learning all you can to improve your management skills.
2. Not putting every rental repair bid in writing.
3. Not charging tenants for damage.
4. Not screening your tenants and having to evict them.
5. Paying for a rental repair before its 100% complete.
6. Paying for a repair even though it is three weeks late.
7. Letting your business run you; bookkeeping, tenants, phone calls all keep you busy and stressed out.
8. Running out of cash and the bills keep coming.
9. You pay too much for repairs.
10. Spending too much time talking to tenants, worrying about repairs, doing paperwork and making very little money.
11. Overlooking those bad houses in bad neighborhoods.
12. Not having the proper insurance.
13. Cash flow from your rental properties is not quite high enough.
14. You punish bad tenants, but you don't reward good ones.
15. You hate being a landlord because the tenants are always bugging you with their problems.
16. You hate collecting rent or many of your tenants do not pay the rent.
17. You only look at properties when there is a problem.
18. You miss out on special loan programs.
19. You rehab your house, but it won't rent.
20. You do not give your tenants any more than what they expect.

(by Mr. Landlord.com)

Need to Rent ???
advertise your rental at:
www.iowalandlord.org

Would you like to list your property on the Iowa Landlord Association Apartment Rental Search but you're not on the Internet?



**Iowa Landlord Association
Apartment Search Service
Listing Form**

Make copies of this form, fill out the form and FAX to: 515-255-0675

You can mail or fax in your listing directly to our office if this would be easier for you.

To list your property, please fill out this form and send a picture of your property to our office.

Have you a rental property you wish to sell? Advertise it on the web site! Call us for details.

Interested in banner ads on our website?

ILA Rental Property Search Listing Rates

- Listing Prices = Members - \$50/mo., Non-Members - \$100/mo.
- Pictures/Logo inclusion = \$10/submission
- Picture/Logo image preparation (if needed) = \$35/hr.
- Photography Services = \$50 trip fee; \$35/hr after 1 hour; Materials at cost; Service available in the Des Moines metro and Polk County surrounding areas; Services are on a scheduled basis; Contact information@iowalandlord.org for arrangements.

Your Company: _____
 Your Name: _____
 Your Company Address _____
 Your Phone number for contact _____
 Property Address: _____
 Property City, Zip: _____

Monthly Rent Price: \$ _____ / Month
Number of Bedrooms: Studio/Efficiency 1 2 3 4+

Type of Housing: Condos, Townhomes, or Duplexes
 Unfurnished Apartments Furnished Apartments
 Single Family Dwelling Short Term Rentals Senior Community

Utility Arrangements: None Supplied Some Paid All Paid

Accommodations and General Amenities – Please check the items associated with this property:

Air Conditioning:	<input type="checkbox"/>	Dishwasher:	<input type="checkbox"/>	Wheelchair Accessible: ..	<input type="checkbox"/>
Microwave:	<input type="checkbox"/>	Stove:	<input type="checkbox"/>	Trash Compactor:	<input type="checkbox"/>
Balcony / Patio:	<input type="checkbox"/>	Refrigerator:	<input type="checkbox"/>	Garbage Disposal:	<input type="checkbox"/>
Dining Room:	<input type="checkbox"/>	Fireplace:	<input type="checkbox"/>	Pet Friendly:	<input type="checkbox"/>
Computer High				Laundry Type:	
Speed Broadband				<input type="checkbox"/> Washer / Dryer	
Internet Accessibility: ..	<input type="checkbox"/>	Cable Ready: ...	<input type="checkbox"/>	<input type="checkbox"/> Washer / Dryer Connections	
		Garage:	<input type="checkbox"/>	<input type="checkbox"/> Laundry Facility	

Community Accommodations and Amenities

Club House:	<input type="checkbox"/>	Storage Facilities:	<input type="checkbox"/>	Gated Access:	<input type="checkbox"/>
Public Transportation: ..	<input type="checkbox"/>	Tennis Courts:	<input type="checkbox"/>	Playground:	<input type="checkbox"/>
Fitness Center:	<input type="checkbox"/>	Swimming Pool: .	<input type="checkbox"/>	Whirlpool / Spa:	<input type="checkbox"/>

Run Dates of Your Listing

Date Begin: _____ Date End: _____

Your Email Address:

Additional Information About This Rental:

**** Don't Have A F.A.X. - - Just copy and mail your form to us. ****

(HINT! For the cost of an ILA membership - Non-members can purchase their membership, save money and experience ALL the benefits of ILA membership!)

Need to Rent ???
advertise your rental at:
www.iowalandlord.org