



### ILA Legislative Report

Have you been worrying about this year's election? Perhaps you should have been. By the time you read this essay, the election may have been decided. We will know which party is in control of the legislature and who our next Governor will be. It does make a difference as to who has power in the legislature.



**Joe Kelly**  
ILA Lobbyist

For the past twelve years, landlords have been playing offense at the legislature. You haven't forgotten the many legislative victories gained over the past twelve years, have you? The very first one, clear and present danger, passed in 1992, was called by one Iowa senator the worst bill passed in 1992. If senators and representatives like that get in control of committees and in leadership positions, we could lose the clear and present danger law.

But first on the list of our opponents would be a bill to get rid of the 30 days' notice not to renew a lease without stating a cause. We've seen bills like this introduced in the past. However, what will happen if our legislative friends are in the minority? What will happen is that we will have a fight on our hands. We won't necessarily lose the fight, but it's always possible, depending on how many private property rights people are in the legislature. Can you imagine the difficulty of

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*Register Today for ILA's*  
**FALL**  
**Seminar**

*For More Information,  
Call 515-255-0675  
and ask for Connie.*

For Des Moines landlords the train has already left the station.

### DIALOGUE WITH DIRECTORS



Inspections fees appear to be going through the roof!

The Des Moines City Council is proposing and has already voted the following increases for inspections fees: for a single family dwelling the increase is 69%, from \$59 to \$100; for duplexes the increase is 63%, from \$92 to \$150; for 5 units it is 134%, from \$96 to \$225; for 20 units the increase is 96%, from \$306 to \$600; and for 100 units the increase is 132%, from \$1121 to \$2600.

Reinspections that used to be free will be charged the same as the initial inspection.

The charge for reinspections is a real problem because the City Code is over 58 pages long and open to interpretation. Inspectors do not always inspect the same way; and landlords have little control over what the tenant can do between the prior day's pre-inspection and the City inspection.

The proposal also increases the length between inspections from 18 to 24 months for 3 or more units, and 30 to 36 months for single family dwellings and duplexes.

The City of Des Moines has failed to address the disparity in inspection fees between Des Moines and the rest of the State where the cost of inspections are much less.

Des Moines continues to treat good landlords the same as the slumlords.

Consequently, the good landlords end up paying to keep the slumlords in business.

Also, the City continues to hide its head in the sand and refuses to deal with the destructive tenants which have been a continuous problem for many years.

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### This Month's November 2002 NewsBrief .....

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- No-Shows
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- Ponters To Ponder
- Advertise with ILA

Directors: • Dennis McDonald • Dave Sollenbarger

• WebSite: [www.iowalandlord.org](http://www.iowalandlord.org)

• Email: [ilaservices@iowalandlord.org](mailto:ilaservices@iowalandlord.org)

## Avoiding No-Shows

One of the most aggravating parts of trying to fill vacancies is going to show an apartment and not have the prospective tenant show up at all. This can happen for one of several reasons: they drive by the apartment and decide they don't like the building or neighborhood, some just change their minds and don't call you back and some are just irresponsible.

Here are some tips for eliminating those no-shows: Schedule specific times to show the property and schedule several prospective tenants at the same time; make sure and get the prospective tenant's name, home and work telephone number, then call the person right before the time of showing; have the prospective tenant drive by the apartment before they set up an appointment.

If they don't like the building or neighborhood, they won't have to make an appointment and waste your time.

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## Tenant Screening

Don't forget the first rule of verifying rental applications.

Require proof of the prospective tenant's identity and income. A good rule of thumb is to require a copy of their driver's license or an identity card, plus the last two payroll stubs.

Some also require the most recent statement from a bank account. Good applicants will rarely have a problem coming up with these documents. Bad applicants forget to bring them, can't find them or simply forget to call back or show up.

Verify that the prospective tenant is really who they say they are. Always be on the lookout for inconsistencies.

If your instincts don't seem right, normally they are not.

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## Lease disclosures

Most states require that rental property owners provide certain disclosures to all new tenants. Use a disclosure checklist when renting to new tenants. Some of the more common notifications are:

- 1- Provide a receipt for deposit collected.
- 2- Make copies of the rental agreement/lease and the rules and regulations available to the tenant.
- 3- Disclose the parties who are authorized to manage and maintain the property.
- 4-Disclose the utility charges that are not included in the rent.
- 5- Disclose the conditions that may adversely affect habitability.
- 6- Disclose property damages done by previous tenants.

These are just some of the minimum disclosure notifications that may be required by some states.

## Reminder: Property Maintenance/Renovations Concerning Lead Paint

Back in June of 1999, Section 406(B) of the Toxic Substances Control Act went into effect. This law requires notification and disclosures about lead based paint be made every time a painted surface of more than two square feet is disturbed on a rental property built before 1978.

Anyone who is going to repair, remodel or renovate rental property that may disturb lead based paint must make the proper disclosures. This includes residential rental property owners, sub-contractors and any employed maintenance personnel.

Disclosure is required when more than two square feet is disturbed, the building was built before 1978 and the repair is not an emergency and the building has NOT been certified 'lead free'.

Under the disclosure law, you are required to give an adult tenant the EPA Pamphlet, "Protect Your Family From Lead In Your Home", and have them sign a disclosure acknowledgement seven days prior to doing any renovation work in the pre 1978 building that will disturb more than two square feet. If the resident refuses to sign, the pamphlet may be left in the rental unit by a maintenance person who signs a different acknowledgement.

If you are the landlord and you hire a sub-contractor who is required to make disclosures to the tenants, you are ultimately liable for your apartment so make sure your sub-contractors are following the law.

If you manage property for someone else or in a partnership, you need to develop procedures of notification to them.

Disclosure records are required to be retained for three years. Pamphlets and acknowledgement forms can be obtained from the National Lead Information Center at 1-800-424-5323.

## Pointers To Ponder



### Nails In Your Walls? - - -

When you come across tenants who don't want to attach your walls to their pictures because they don't want to damage your walls, let me know, and I'll personally recommend that they be enshrined in the

Tenant's Hall of Fame. The Hall still has lots of room.

For all those other tenants, you have several decisions to make. What should you allow them to use to attach your walls to their pictures, clocks, and other lightweight stuff? And should you let them hang the heavy stuff at all, stuff like bird cages, bookcases, lamps, planters, wall systems and bulletin boards?

(excerpt from *LANDLORDING*, by Leigh Robinson)

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having to go to court with a specific reason every time? If people pay their rent, there are some judges who can't imagine why you would ever want not to renew a lease. Even if your reasons for eviction are valid, there will be many judges who will want you to give the residents one more chance and to work with them more. There will be other judges who will believe the residents' defense arguments over your charges of lease and rules violations. And you will lose the case. The 30 days no cause non-renewal provision of the law is essential to your private property and management rights. It's crucial as well to the other residents in your complex.

I also suspect that many of the gains we've made in speeding up the process, such as changing the 30 days' notice with 14 days to cure to 7 days' notice with 7 days to cure, will be the subject of legislation probably reverting to the 30/14 system.

With the court system facing financial shortfalls, we can expect pressure to drop the many laws we've passed giving the courts specific timelines on when eviction hearings must be heard and the amount of time that residents can "hold over" after the eviction has been won by the landlord.

These are just a few of the possible negative consequences. That's why elections are so important. That's why it's vital that landlords establish a personal relationship with your legislators so that they understand what property management is all about.

Even if you weren't active in the 2002 campaign season, it's never too late to establish a relationship with the House and Senate member where you live or work.

## Iowa Landlord Association Fall Seminar

*This is one you won't want to miss...*

The ILA Fall Seminar will be held November 21, 2002 at the Holiday Inn-Downtown, 1050 6th Ave., Des Moines, Iowa - In the Des Moines Room

Registration and Sign-In is from 6:00PM to 6:25PM. The Seminar will start at 6:30PM, and will run till 9:00PM



This informative seminar begins with a "Legal Clinic" by Attorney Mark Hansen dealing with eviction procedures and money judgments.

Risk Management will be covered by Jim Bagbey, regional director from State Farm Insurance, dealing with controlling insurance costs for rental property.

Our own Joe Kelly, (ILA Lobbyist), will give an informative Legislative update and proposals for the upcoming Iowa Legislative session.

Lastly, the evenings events will turn to Roundtable Discussions with Mark, Jim, Joe, David and Dennis with the seminar participants.

Seminar Cost:

Preregistration is \$10 per person for members; non-members \$15.

At the door: \$15 for members and \$25 for nonmembers (Refreshments Included with paid registration)

### Directors... – Continued from Page 1 ...

Tenants can still do thousands of dollars in damages and the City will still treat it as a 'civil' manner. Des Moines has also failed to address the problem of all the rental property not being on the housing inspection rolls.

Raising inspection fees while failing to deal with any of these problems is definitely as recipe for disaster in the Des Moines housing market.

Put on your calendar the ILA Fall Seminar which will be held on the 21<sup>st</sup> of November and fill out the pre-registration form and mail it to Connie.

**Need to Rent ???**  
*advertise your rental at:*  
**www.vacancy4rent.net**

**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](mailto:information@iowalandlord.org) for arrangements.



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

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. \*\*\**

**Need to Rent ???**  
 advertise your rental at:  
**[www.vacancy4rent.net](http://www.vacancy4rent.net)**