



ILA Legislative Report

Landlords have their agenda ready, as the new 80th General Assembly prepares to begin work on January 13th. The number one priority is to change the property tax classification for residential rental property. As you know, anything over a duplex is classified as commercial property. In the old days, prior to the late 1970's, it didn't matter that we were classified as commercial property. Every class of property paid the same rate. Then the roll back of residential and agricultural property was put into place. At first, it didn't have much impact. Now, almost thirty years later, it has a devastating impact to all property classified as commercial, especially residential rental property. The residential roll back is almost 50%. Your lobbyist has been busy meeting with legislative leaders and other business groups who have an interest in lowering the commercial property tax. There is never any guarantee of success in the legislature. However, legislators have talked about the issue of commercial property taxes more than ever in the past few months.



Joe Kelly
ILA Lobbyist

Local governments are looking for ways to increase their funds. Landlords have become a target. The city of Des Moines has drastically increased inspection fees for rental properties and has imposed the same fee on reinspections. Landlords will ask the legislators to better define the basis upon which local government can charge for the inspection system. Current law states that cities may charge a reasonable fee, but don't give any definition of what reasonable is. The language we will ask for passage, which would clarify the definition of reasonable, is as follows: "Inspection fees shall not exceed the actual cost of the inspection. There shall not be a charge for reinspections."

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advertise your rental at:
www.vacancy4rent.com

One of the more intelligent moves your Association has made in the past several years was to obtain the services of a state lobbyist.

DIALOGUE WITH DIRECTORS



We can send out press releases, letters to city councils and others, hold meetings with city, county and state officials and cajole them until we are blue in the face; but without the ability to affect legislation at the local and state level, we will be completely stymied at times.

We have had several successes at the state level over the past ten or eleven years, and we want to continue to maintain that record. That is why we, just last month, set up a new entity called the Iowa Landlord PAC. This is another method to further our agenda to protect the rights of housing providers in the State of Iowa. PACs are not the sinister organizations that so many in the media like to deride. They represent ordinary citizens like you and me. They represent another effort to protect our property rights as landlords and property managers in the face of recent assaults. They can help elect our friends at the local or state level and they can help defeat those who vote against our common interests.

You will be learning more about the ILA-PAC in upcoming newsbriefs.

Be sure to visit the ILA website frequently (www.iowalandlord.org). Anytime the ILA writes a letter to a city, county or state official, as well as any responses received from these letters, it will be included in the membership section of the website. The website is constantly changing, so it is an excellent way of keeping abreast of everything that ILA is doing.

In closing, the year 2003 is upon us. Where does the time go!

Your directors wish each of you and your families a safe and prosperous New Year!

This Month's January 2003 NewsBrief

- Dialogue With Directors
- ILA Legislative Report
- Fall Seminar Review
- Impact Fees
- Smoking Policy
- Happy New Years!!!
- Advertise with ILA

Directors: • Dennis McDonald • Dave Sollenbarger

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The third legislative item for 2003 will be to cross-reference in the landlord tenant law provisions of Chapter 716 of the Iowa Code, which is the damage to property chapter of the law. Even though anyone who damages your property today can be charged under this chapter, we think it's important to cross reference this material into the landlord tenant law, which is the place where landlords and residents are most likely to see the material. When residents and housing advocates research the landlord tenant law, they would become aware that damaging property in an intentional fashion is a crime, the degree of which depends on the amount of damage done. Even today, landlords could place in their leases material from Chapter 716 of the code. You could inform residents that you take intentional damage to property seriously and will prosecute to the full extent of the law.

Allow me to make one final note about the legislative process. It has changed over the years. No longer can you expect any lobbyist to go to the Capitol and get controversial laws passed alone. It's the day of teamwork and grassroots politics. Legislators hear so much from constituents these days that, if a group is relatively silent, then the work of the lobbyist is compromised. We need more members to get involved. Find out who your legislator is. If you don't know, go to the Iowa General Assembly website, www.legis.state.ia.us. You can find a link on this page to type in your address and in just a few seconds, you will learn who your state representative and senator are. On the same web page, you will find their e-mail address in case you want to send them a note on one of our legislative issues. However, e-mail can't substitute for getting to know your legislator. During the session, legislators will be holding public forums. Usually, not many people attend these sessions. But it would be in your best interest to attend every time there is such a forum. Before long, your legislators would know who you are and what issues are important to you.

Finally, it's easy to reach legislators during the session. The phone number for the Senate is 515-281-3371 and the House number is 515-281-3221.

Recommended Lease Clause - Impact Fees

"It is understood and agreed by both the tenant and landlord, that if the local housing authority, city or state imposes any additional housing related fees or charges required for occupancy of this building, the additional charges or fees will be immediately added to the rental amount due or reflected in the new rental rate, the next time your rent is adjusted. We will try to keep you informed of any legislation that may affect your rental amount."

Smoked Out- A New Policy?

The country is becoming increasingly less hospitable to smokers. Banned from lighting up in many public places, today's smoker has a limited choice of where to smoke: outside, private vehicles, some bars and one's own home.

But what if that home is an apartment? More and more landlords are adopting a no-smoking policy for their properties. There are many reasons for doing this. One important reason for limiting or eliminating smoking in a rental property is secondhand smoke. If your property contains multiple units within a single building, there is virtually no way to ensure smoke from one apartment does not seep into others.

The risk of secondhand smoke is well-documented; and there have been a number of successful lawsuits against landlords who failed to protect tenants from it.

Another reason to going smoke free is it can save money on reconditioning the apartment after a smoker departs. By prohibiting smoking, you can make the reconditioning process easier and faster and less expensive.

A non-smoking policy reduces the chance of fire. Some insurance companies will renegotiate property insurance rates for landlords who adopt a smoke free policy in their lease.

If you are considering going to smoke free apartments, it may be best to work in phases. A good first step to take is to prohibit smoking in common areas-lobbies, recreational and pool areas and laundry rooms. Next, you may want to institute a no smoking policy for all new leases.

Attempting to enforce such a policy among existing tenants is probably not a good idea since the lease they signed made no mention of the policy. Let them know that the property will gradually become smoke free and when their current lease ends, they will be faced with a decision to make. Explain your reasons for implementing the new policy and tell them you would like to have them remain residents if they will agree not to smoke in the buildings or within a certain area around the buildings.

When you rent an apartment under the new policy, whether to a new resident or an existing resident, be sure the policy's terms are clear in the rental agreement.

Once you have initiated the policy, post signs at entrances and in common areas to help remind the residents and guests that they are in a smoke free environment. You can also use the policy in your advertising to draw health conscious residents.

Smokers are not a protected class and you are well within your rights to implementing a smoke free policy. Adopting a smoke free policy is no different and no more discriminatory than adopting a no pets policy.

Don't hesitate to enforce the new policy. Treat violators seriously, and take whatever action you have indicated in your policy. If you establish a smoke free environment, your new residents will expect you to uphold that claim; it is critical that you do.

A Picture Is Worth A Thousand Words...

We would like to thank all of you who attended our Fall Educational Seminar this past November. It was a huge success! Our presenters gave informative talks on important landlord issues, and then participated in round-table discussions to entertain your questions. A special thanks to our presenters; Jim Bagby, Mark Hanson, and Joe Kelly.



We are already planning the Spring Seminar, we look forward to seeing you there!

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.vacancy4rent.com