



### ILA Legislative Report

**EDITOR'S NOTE:** The Iowa Legislature is not in session during the Summer Months, so Joe Kelly is taking some well deserved time for himself and his family to enjoy more leisurely Summertime pursuits.



**Joe Kelly**  
*ILA Lobbyist*

Look for his future articles concerning upcoming bills before the Legislature, his insights on the political process, and the impact they have on landlords in forthcoming NewsBriefs.

### E-mail Updates

Our lobbyist, Joe Kelly, periodically sends out e-mail consisting of updates of action taken by the Iowa State Legislature.

Many of you already receive this service. For our members who don't, we would like to include you in this service, provided that you WANT it.

Since the ILA periodically sends out E-BULLETINS, we have accumulated a list of members with current e-mail addresses.

If you DO NOT want to have your e-mail address added to the Legislative Updates, send (e-mail) us your e-mail address and a request NOT to be included on this list.

Send it to: [ilaservices@iowalandlord.org](mailto:ilaservices@iowalandlord.org)

### The Welcome Mat

The Iowa Landlord Association is pleased to announce the latest members to join ILA.

**Members:**

Perennial Property Management of Des Moines  
Nancy Smith of Urbandale

**Associate Members:**

We encourage our members to use the knowledge and expertise of our Associate Members to help solve landlording issues and problems.

Things are really getting HOT!

Besides the weather, we are really busy with activities, upcoming events, and staying on top of the programs we are working on.

### DIALOGUE WITH DIRECTORS



We are happy to report that the ILA PAC is still moving forward. This being August we are working very hard to identify candidates who understand and are sympathetic to business issues as they relate to landlords. November is not that far away.

And speaking of Hot – we are in the middle of our Up, Up and Away promotion. The winner of this promotion will win 2 tickets for a Hot Air Balloon ride at the National Balloon Classic held August 1-9. The details and winner will be announced in the next edition of NewsBrief.

As reported in last months NewsBrief, the big yellow sign is gaining in popularity. **Vacancy4Rent.com** signs are appearing all over. And with the help of our webmasters, we are now starting to advertise **Vacancy4Rent.com** in various forms of media. And for those landlords who have those late summer rentals come up, we are extending our offer from last month so you can capitalize on the returning student tenant this month. We are extending the "Sign Special" offer that we announced last month though the month of August. Through August, when you advertise on **Vacancy4Rent.Com** for one month, you get a second month FREE. The second month free coupon can be used for the original listing, or a second listing any time till the end of the year. Additionally, the fees have been waved for image placement for your vacancy with this offer. Furthermore, we will include for FREE a **Vacancy4Rent.Com** yard sign personalized with your telephone number so your potential tenants can contact you directly. Simply fill out the form on the back of this newsletter, and write across the top, "STUDENT SPECIAL", and send with your \$50.00 ad fee for each ad you want to place.

### This Month's August 2003 NewsBrief .....

- Dialogue With Directors
- ILA Legislative Report
- The Welcome Mat
- Breakfast Meetings
- Ask An Expert
- Appeal to Tenants
- e-Mail Updates
- Advertise with ILA

- Directors: • Dennis McDonald • Dave Sollenbarger
- WebSite: [www.iowalandlord.org](http://www.iowalandlord.org)
  - Email: [ilaservices@iowalandlord.org](mailto:ilaservices@iowalandlord.org)

## Ask an Expert: Legal Q & A

by Donald DeBone, Carter & Debone

Legal advisor and columnist to Apartment Association of Indiana, Indiana InSites; July 2003

Q. Is charging higher rent to people with bad credit considered discriminatory?

A. This question directly relates to "fair housing". According to the Fair Housing Amendments Act, there are seven protected classes with regard to housing discrimination. The protected classes include: race, color, religion, gender, physical or mental handicap, national origin, and familial status.

Discrimination relating to any of those classes is strictly prohibited by this act.

Notably missing from the list of protected classes is economic status or credit rating. Therefore, charging higher rent or deposits/prepaid due to poor credit would most likely not be considered discriminatory. However, a landlord, management company or anyone in the housing rental industry would need to be able to show that the difference in rent or deposits was solely based on the poor credit of the tenant. This is where the pitfalls to this question may lie.

In order to be able to prove this non-discriminatory difference, every landlord should adopt strict rental policies. The scale for renting an apartment should be uniform, based on verifiable criteria, and consistent. If challenged, a landlord must be able to verify that each applicant and tenant was held to the same credit standard and scale. To accomplish this, it is recommended that a written policy is drafted and that each person in the decision-making position be trained on the implementation of the rental policy.

In short, rental rates may vary based upon credit. However, the policy and standard must be clear, verifiable, and most importantly consistently utilized. This will enable a landlord to support any difference in rental rate with a non-discriminatory criteria. As always, the creation and implementation of this policy should be formulated with advice of counsel when appropriate.

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**EDITOR'S NOTE:** Coming: New feature article, starting in the September Newsbrief: a question and answer section (like the article above) featuring Attorney Mark Hanson from the Des Moines law firm of Whitfield & Eddy.

Each month Mark will reply to a legal question put forth by an ILA member. You may e-mail your question to: [Dennis@iowalandlord.org](mailto:Dennis@iowalandlord.org).

## Appeal to Tenants Seeking a Healthy Home

by Ellen Langan, *Landlord Tenant Law Bulletin*

Any step that can both benefit the landlord and tenant is one worth taking. Such is the case with creating rental units for tenants who have allergies and chemical sensitivities.

The current weak economy means that rents are not increasing, and with lower interest rates on mortgages, many are considering buying homes. Tenants are becoming harder to find in many markets. However, even more impossible can be finding an apartment where someone with allergies or similar health problems can live with ease. Meeting such needs can prove profitable for landlords seeking new tenants.

Once a lease is up, many landlords are faced with remodeling costs. The constant replacement of carpet and touching up paint can add up. Certain elements of a health apartment can be easier to maintain- even a minimal amount of work put into a healthy home can be beneficial.

When remodeling for a healthy home, remove any lead safely. Any house or apartment older than 1978 probably has paint or other finishes containing lead, either on its walls or woodwork. Lead can be scattered as dust during remodeling projects; regularly mopping down work sites can reduce its presence. Another element of vital to the subsistence of healthy home remodeling is use the High Efficiency Particulate Air filter vacuum, which traps 99.97 percent of airborne particles. Healthy home walls and roofs should contain cellulose and Icynene foam insulation. Unlike fiberglass, it better fills cavities and releases no fibers into the air.

Carpet particularly irritates sensitive tenants, as it traps dust, mold and other particles. Carpet secretes

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### Landlord Tip



When showing an apartment to a prospective tenant, explain to them that you video tape the unit before they move in and after they move out. This is done to prove any damage done to the unit during their tenancy and discourages any illegal behavior by the prospective tenant.

**Need to Rent ???**  
advertise your rental at:  
**[www.Vacancy4Rent.com](http://www.Vacancy4Rent.com)**

## Selecting a Property Management Company

by Diamond Productions

In many cases, management companies can help relieve that day to day stress and aggravation. In many cases management companies may even improve the cash flow enough to pay for themselves. But many landlords have had bad experiences with management companies. The main reason for these bad experiences is that the owners neglected to do a good job in selecting management companies.

Landlords should work with property managers. Goals should be set for their properties to be reviewed periodically; this help both the management companies and the owners.

Here are some of the guidelines that are essential to a good management agreement.

1. Do a walk through report with 30 days of any new management agreement. The manager should furnish to the owner a written walk through report. This should include recommendations for repairs and estimated costs.
2. Within 30 days of the effective date of any agreement, the management company should be required to furnish the owner with a written marketing report.
3. All tenancies should be identified with a written rental agreement/lease.
4. The management company should be required to periodically evaluate all current staff, from marketing personnel to maintenance.
5. The management company should not mark up the cost of outside services and materials.
6. In order for the landlord to anticipate and plan for any cash requirements of the property's operation, the management company should submit to the owner an annual cash budget including recommended capital expenditures.
7. The management company should maintain in its office accurate, complete and separate records showing all income and expenditures relating to the operations of the property.
8. The owner should have the right at any reasonable time to inspect the records kept by the management company.

## Breakfast Meetings !

The August 19th Breakfast meeting, which starts at 7:30AM, at Sec Taylor Stadium at the Cubs Club will feature Tom Good, investigator, from the Iowa Civil Rights Commission. His subject will be accessibility requirements for the disabled in rental property. We finish off our meetings on September 16th. As a reminder, **all** of the meetings are on the third Tuesday of the Month. Breakfasts begin at 7:30 am at the Sec Taylor Sky Box, and the cost is \$10.00 per person (limit 25). We are sure you will enjoy our breakfast speakers, their topics, and information you will leave with.



For the first eight ILA Members to sign-up for the August 19th Breakfast will be our guest for the buffet for FREE.

Call Connie at 515-255-0675 to reserve your space or e-mail us at [ilaservices@iowalandlord.org](mailto:ilaservices@iowalandlord.org). We look forward to seeing you at our next activity!

## Appeal to Tenants Seeking a Healty Home

*Continued from Page 2 ...*

formaldehyde into the air when newly installed. A cheap and all natural alternative is Forbo-Marmoleum, a kind of real linoleum made from linseed oil, wood flour and other natural materials. Experts advise against using particleboard, which is filled with formaldehyde, for floors, walls or cabinetry. Straw board made from straw fibers and non-toxic resin is considered a safe and healthy alternative. It is stronger and more durable and more moisture resistant.

Plumbing also contributes to a healthy home. To serve allergy suffering tenants, install a medium efficiency filter on the HVAC system. General air quality also can be greatly improved with a HEPA filtration unit on a gas fired furnace and central air conditioner. This ventilation unit, operating constantly, uses no more power than a 100 watt light bulb.

Finally, make sure to tackle the biggest challenge, dampness, which leads to mold development. Mold will send tenants, especially those with respiratory problems packing. Overwhelming media attention, along with attorneys discovering links to mold and health problems, have created a surge of litigation in the past 10 years.

For information on creating healthy rental units, or to read more about John Bowers and his publications, visit The Healthy House Institute at: [www.hhinst.com/](http://www.hhinst.com/)

**Need to Rent ???**  
*advertise your rental at:*

**[www.vacancy4rent.com](http://www.vacancy4rent.com)**

**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.

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](http://www.vacancy4rent.com)**