



IOWA LANDLORD ASSOCIATION NEWSLETTER
www.iowalandlord.org

June 2007

ILA LEADERSHIP AND CONTACT INFORMATION

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Membership Committee Chair

To be announced

Some committee positions are still available. Contact Connie at (515) 255-0675.



From the Desk of Your Directors

Even though it is getting nice outside, we still hope to see you at our summer events. We have our first breakfast meeting of the season scheduled for June 19. (See details on page 2 of this newsletter.)

We had a lot of new members join in May. They are listed on page 3. We welcome them all and look forward to their participation in your association.

A big THANK YOU to Joe Kelly, our lobbyist, for all the hard work he did this legislative season. Joe continues to stay on top of all our legislative needs. Also thanks to Pat Knueven, ILA Legislative Chair, and member Keith Denner of Professional Property Management for all their input and hard work.

As promised, we have some photos of our very successful Spring Educational Seminar. We received very positive response from the approximately 100 people who attended and are looking forward to the Fall Seminar.

Watch the website (www.iowalandlord.org), e-bulletins and the monthly newsletter for additional educational events throughout the year.



(Above) Dave Sollenbarger, ILA President, kicks off the Spring Educational Seminar with introductions and an ILA update. (Lower left) All enjoyed a wonderful lunch at the top of the tower. (Lower right) Speakers Steve Burgett, Transworld Systems, and Mark Hanson, attorney with Whitfield & Eddy law firm, field questions about the legal process and collections.



Cub Club

BREAKFAST MEETING

We are again holding our summer monthly Breakfast Meetings. The first meeting will be June 19 at the Cub Club at Principal Park (Sec Taylor Stadium). The meeting will start at 7:30 a.m. and last approximately an hour.

Our speaker will be Don Grove, a supervisor and investigator from the Iowa Civil Rights Commission. Don will be talking about SF 427, which creates two new protected classes (and how it relates to rental housing), and also about service animals.

You don't want to miss this breakfast. We have limited space, so you will have to call Connie to reserve a spot. Call 255-0675 no later than June 14. It will be a breakfast buffet with eggs/bacon and all the trimmings. Price is \$15.



ILA Legislative Report

Joe Kelly
ILA Lobbyist



For many years, Iowa landlords have had a high profile of asking the legislature to pass bills. The number of bills we ask for has dropped in recent years, but 2007 saw the passage of an important bill, HF 783. It's important for those landlords who prefer that their residents get municipal utility services in their name and be responsible for paying the bills. Two problems with the current law are that it applied only to water and the landlord had to notify the municipal utility within ten days of each change in tenancy.

HF 783 requires only the registration of the property with the municipal utility in order to prevent a lien, for the resident's unpaid bills, from being filed against the property owner.

who floor managed the bill in the Senate. Governor Chet Culver has until May 29 to decide whether to sign HF 783 into law.

Landlords suffering from high property taxes had some brief excitement during the 2007 session. During the last week of the session, SF 604 emerged from the Senate Ways and Means Committee, endured a four-hour debate on the Senate floor, and passed by the slimmest margin possible, 26-22. SF 604 would have provided for a seven-year reduction of taxes, after which time apartments and manufactured housing communities would be taxed at the same rate as single-family, residential housing.

SF 604 was not considered in the House, where three separate Ways and Means meetings were cancelled. An amendment which had some relief for landlords was filed on the last day on the last bill by Rep. Doug Struyk (R- Council Bluffs). Rep. Struyk's amendment was never debated. He lost a germaneness ruling and then moved to discuss the

HF 783 also added all municipal utility enterprise services to be under the lien protection program. Municipal utilities were given the additional authority to secure three months' deposit from the resident on the average bills for all the enterprise services. HF 783 also had provisions desired by the Iowa Realtors Association dealing with protecting the purchaser of real estate from having to pay the utility bills for the former owner.

Even though the House and Senate voted overwhelmingly in favor of HF 783, it doesn't reflect the pressures that were involved with the passage of the bill. The legislative process has many procedural hurdles, but with the help of many legislators, HF 783 was passed. Especially helpful to us were Rep. Geri Huser (D-Altoona) and Rep. Tom Schueller (D-Maquoketa), who floor managed the bill in the House, Senator Steve Warnstadt (D- Sioux City), and Senator Rich Olive (D-Story City),

amendment, irrespective of the ruling. That procedural motion lost 40-52.

The legislature's only action on property tax reform was to instigate another study. This one will last two years, with the final report due to the legislature in January of 2009. The property tax study committee will be authorized to hire outside tax experts to assist in the study.

Landlords dodged some serious bullets in 2007. The Iowa Judicial Branch (IJB) was back attempting to lengthen the time for eviction hearings to be scheduled from seven to fourteen days. The House Judiciary Committee, with the special help of Rep. Huser, Rep. Struyk, and Rep. Eric Palmer (D-Oskaloosa), led the charge to get this provision dropped from HF 641, a bill introduced by the IJB.

The most serious challenge came from students at the University of Iowa and the Attorney General who wanted to change the security deposit law. SF 445 was the amended version of the original bill filed. SF 445 passed the Senate 35-15.



A Big WELCOME to our New Members!

Dennis & Lisa Darnell—Allentown, LLC—Des Moines

Jeff & Suzi Brodsack—American Investments LLC—Des Moines

Bob Waddill—Bonan Properties—West Des Moines

Diane Bryant—Des Moines

John & Char Fritzel—Core Corp.—Des Moines

John & Carole Essy—Des Moines

Joy Holmquist—Des Moines

Larry Hughes—Norwalk

Nancy Nevins—Dallas Center

Bruce & Joyce Kalisek—Rebel Leasing LLC—Waukee

Teresa Powers—Hawgsseye International, Inc.—Des Moines

Karen Despines—Phoenix, Arizona

Jay Dillavou—Dillavou Properties—West Des Moines

Rob Brown—Des Moines

Charles Stephenson—Des Moines

NEW VENDOR MEMBERS

Matt Berger—Alliance Roofing, Inc.—Waukee

Barry Hesse—ReMax Real Estate Group—Des Moines

The bill also passed out of the House Judiciary Committee with the minimum votes required, 11-9.

SF 445 would have changed the legal standard used to impose punitive damages against landlords. The current standard is bad faith retention. SF 445 would change the standard to wrongful retention. SF 445 would give discretion to the judge as to whether to impose punitive damages. Current law requires the judge to impose punitive damages if the retention is in bad faith. The maximum amount that can be imposed is \$200, an amount unchanged since January 1, 1979.

SF 445 didn't make the final deadline for bills to be considered. House Majority Leader, Kevin Mc Carthy (D- Des Moines), didn't choose SF 445 as one of the bills to be placed on the House Unfinished Business Calendar. Therefore, SF 445 returned to the House Judiciary Committee, where it is eligible to be considered in January of 2008. We know that there will be another push to pass SF 445 in 2008. Joining us in opposing SF 445 is the Iowa Bar Association.

Landlords had to get an amendment adopted to keep us from becoming a part of the state Treasurer's unclaimed property bill, SF 202. The issue involved whether the state could lay claim to security deposits unclaimed by tenants by classifying this money as unclaimed property. Senator Wally Horn (D- Cedar Rapids) first advised us of this provision of the bill. Senator Horn filed the amendment to take the provision out of the bill.

Finally, SF 427 passed the legislature and will be signed by Governor Chet Culver. SF 427 adds to the civil rights law new protected classes. The new protected classes are gender identity and sexual orientation. There are now ten protected classes that landlords need to be aware of: race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or familial status.



NEW VENDOR



Barry Hesse, Realtor
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Designations Realtor® —
29th Year: ABR—
Accredited Buyers
Representative: CRS—
Certified Residential
Specialist: GRI—Graduate
Realtor Institute

DM Area Association of Realtors Awards/Office Holdings HF783 Water Lien Bill 2007-Passage; Volunteer Liaison between Realtors/Landlords, President's Award 2006, Board President 2004, Realtor of the Year 2004, Chair/Co-Chair of various Committees

Community Activities
Greater Des Moines Leadership Institute
Graduate and Habitat for Humanity Volunteer



June 2007

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- 7 Vendor Meeting, 4 p.m., ABC Supply Co. Conference Room
- 14 Flag Day
- 17 Father's Day
- 19 Breakfast Meeting 7:30 a.m.—Cub Club
- 21 First Day of Summer

July 2007

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 4 Independence Day—ILA Offices Closed
- 12 Vendor Meeting



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