



IOWA LANDLORD ASSOCIATION NEWSLETTER
www.iowalandlord.org

March 2008

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From the Desk of Your Directors

Landlord Legislative Day on the Hill

On Feb. 19, "Landlords of Iowa" and your Iowa Landlord Association members joined forces at the Iowa Capitol to further our legislative efforts. Look forward to next month's newsletter for pictures and details about this important get-together.

January's General Membership Meeting

We had a wonderful membership meeting at the Des Moines *Register's* printing facility. Planning was done for events for 2008. The upcoming election of ILA officers was discussed. Beth McDonald explained details of the March 1 "Charity Walk to Cure Juvenile Diabetes." Two \$50 cash cards that were

provided by our vendor partners were given away, as well as a \$10 Starbucks gift card to each regular member in attendance.

February's General Membership meeting was held at Okoboji Grill in Johnston. See pictures and details of this meeting in next month's newsletter.

Annual Spring Educational Seminar and Trade Show

Mark your calendars! April 17 is the date for this "always exciting, educational and fun event." The entire top floor of the Des Moines Downtown Holiday Inn has been reserved for the Seminar and Trade Show. As in the past, this will be an all-day event to include lunch, drawings for door prizes and giveaways. Some of our speakers include Mark Hanson, attorney, Gordon Kratz on "Effective Communication Techniques," Joe Kelly, lobbyist on legislative updates, and others, qualifying this Seminar for continuing education for Realtors. Our vendor partners will again be present with displays and useful information about their products and services.

Welcome New Members

S & G Real Estate Investments, Inc. -
Matthew Smith - Clive

Arnita Westphal - Onslow, Iowa

Larry West - Des Moines

Affinity Real Estate Investors, LLC -
Roger Campbell - Des Moines



Happy St. Patrick's Day!

WEB-SITE

If you have not browsed the ILA web-site lately, now is the time to check it out. We have updates on all upcoming events, sample forms can be downloaded and you can download a copy of the Iowa Landlord/Tenant Law (Chapter 562A).

You can also find out who all of the ILA Vendor members are for those jobs you need done.

Remember to SUPPORT your ILA vendor members.

The members of our committees are listed with e-mail addresses and phone numbers. Feel free to contact any of them with suggestions, or maybe you would like to help out on a committee!

We have properties—whether you are looking for a property to buy or want to list your property for sale!

Any questions about the web-site, call Connie at 255-0675 or email her at: ilaservices@iowalandord.org



Part-time Magistrates

The Iowa Supreme Court has appointed a 31-member task force to review the duties of Iowa's magistrate system, as well as the need for changes in the system. Part-time magistrates handle procedures that require urgent judicial attention, such as search and arrest warrants and emergency hospitalization matters. They also resolve thousands of everyday lawsuits such as small claims and landlord-tenant cases, and they preside over misdemeanor and traffic offenses.

Nominated by the ILA and representing landlords on the *Limited Jurisdiction Task Force* is Lisa Raabe of Venture Management & Realty LLC, who is a member of the Iowa Landlord Association and an attorney. Lisa is well-qualified to represent rental property owners on this task force and will do a great job representing our views and needs.

The task force is being led by Donald Redfern, attorney from Cedar Falls. The task force also includes four legislators: Senator Keith Kreiman, Senator Larry McKibben, Representative Rick

Resident Lock-Out Procedures

Do you have a formal policy you follow when a resident is locked out of their apartment? You should have a policy in place that will help safeguard against your giving unauthorized access to your residents. If a resident claims to have been locked out of their property, here are a few guidelines:

Have a clause in your lease that states residents understand that management charges a lock-out fee to provide a duplicate key or for management to unlock a door. The fee should be one amount for providing this assistance during normal business hours and a higher fee for assistance during non-business hours. This will help discourage late-night phone calls. Residents may stay over at a friend's house one night and wait to call in the morning so they will not incur the higher charge.

Require the resident to show identification prior

Olson and Representative Richard Anderson, as well as representatives from the judiciary, the legal community, law enforcement and local government.

Congratulations, Lisa!



to allowing access or giving them a duplicate key. If a resident does not have proper identification, verify their identity by obtaining the correct answer to at least two pertinent questions that can include: social security number, move-in date, rental rate or their emergency contact. This information can be found in the resident's file. Do not allow access or release duplicate keys to anyone who is not a lease holder without proper authorization. Always check the rental agreement as a current resident, such as a roommate or spouse, may have been released from the rental agreement.

Document in the resident's file the date and time of the lock-out and the time assistance was provided and what type of assistance.

Require that any fees be payable at the time service is provided and, in the event that a complete lock change is necessary, there will be an additional charge for lock replacement.

ILA Legislative Report

Joe Kelly
ILA Lobbyist



First of all, for those of you who want to keep up with legislative events affecting landlords in the quickest possible fashion, feel free to send me your e-mail address. I do send out material on a fairly frequent basis during the session. My e-mail address is joe@iamha.org.

Last year, the Iowa legislature passed two state licensing laws that could impact landlords: an electrical licensing law and plumbers' licensing law. The Iowa Department of Public Safety has advised us that the laws don't affect landlords who are doing repairs to their property. It would have an effect if you were doing a major addition in the electrical or plumbing area. In that case, you couldn't do the work unless you had a license.

HF 2133 has been introduced by Rep. Geri Huser (D-Altoona) and Rep. Tom Schueller (D-Maquoketa). These two legislators introduced HF 783 last year, the bill changing the law with regard to municipal utilities' ability to file liens against rental property owners. As you know, Governor Chet Culver vetoed HF 783. Representatives Huser and Schueller are meeting with the Governor soon to determine how much of last year's bill the Governor would sign. HF 2133 has left out the additional city enterprise services that were added last year. HF 2133 would have the beneficial item of requiring that a rental property would only have to be

registered once with the municipal utility in order to avoid liens, instead of notifying the utility within 10 days of a change of tenancy. Opponents to HF 2133 are working against it in the House. Last year, opponents had a strategy of trying to stop HF 783 when it came over to the Senate.

A subcommittee meeting is scheduled in the House for SF 445, the bill which passed the Senate last year and would change the security deposit law in Iowa. The current law requires an award of \$200 in punitive damages if a landlord held a tenant's security deposit in bad faith. SF 445 would propose to change that legal standard to "wrongful" retention. All the landlord groups in the state are opposing SF 445. The Iowa Bar Association is also opposing SF 445. In favor of the bill are student groups from Iowa City, Ames, and Cedar Falls, as well as the Iowa Attorney General.

Finally, the Iowa Judicial Branch (IJB), on behalf of Clerks of Court, is expected to push for a change in the eviction law, chapter 648. Currently, the courts are required to schedule an eviction hearing within 7 days of filing with court. For the past two years, the IJB has pushed for 14 days instead of 7 days. We have convinced the legislature that 14 days are too long. Now the IJB wants to try 10 days. We will continue to oppose this request, especially since the IJB has commissioned a comprehensive study of the role and work of magistrates. It would be premature for the legislature to act before the commission's work is completed. Lisa Raabe is representing rental property owners on this commission.



Helpful Tip

Prospective Tenant Screening

Don't forget the rules for verifying rental applications for prospective tenants.

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 with their picture on it, 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 tell you a prospective tenant is not quite right, normally they are not.

March 2008

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- 1 ILA's "Charity Walk to Cure Juvenile Diabetes" - 8 a.m. Polk County Convention Complex - 5th & Grand
- 9 Daylight Saving Time Begins
- 17 St. Patrick's Day
- 20 Vendor Meeting - 4 p.m. - Okoboji Grill - Johnston
General Membership Meeting - 5 p.m. - Okoboji Grill - Johnston
- First Day of Spring
- 21 Good Friday
- 23 Easter

April 2008

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- 17 Vendor Meeting - 4 pm. - Okoboji Grill - Johnston
General Membership Meeting - 5 pm. - Okoboji Grill - Johnston
- 20 First Day of Passover
- 23 Administrative Professionals Day



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