



IOWA LANDLORD ASSOCIATION NEWSLETTER
www.iowalandlord.org

June 2009

ILA LEADERSHIP

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David Sollenbarger



From the Desk of Your Directors

The ILA membership continues to grow on a daily basis. We welcome the newest members and vendor partners listed below. When calling one of our vendors, be sure to tell them you are a member of the association to see if they offer a preferred member discount.

Do you have a product or service provider that you are happy with? If so, invite them to be a vendor member of the ILA. You will be helping them expand their sales, as well as bringing valuable services to your fellow members.

We are still awaiting a date for our Habitat for Humanity charity volunteer project, however we have already received calls from those that want to volunteer. If you would like to be added

to this list, call or email Connie.



SAVING MONEY AND REBATES!

Are you interested in getting the best return on your investment? Do you like to receive rebate checks in the mail? Then you don't want to miss our first summer breakfast meeting of the season at the Cub Club in Principal Park on June 18. David Ahlberg from MidAmerican Energy and one of their energy auditors will be speaking on Energy Efficiency Audits and how a landlord can receive rebates! The buffet breakfast starts at 7:30 a.m. and lasts until approximately 9 a.m. Cost of the breakfast is \$20 per person. We are limited as to seating, so call Connie at 255-0675 or email us at ilaservices@iowalandlord.org to reserve your spot now!

Welcome New Members

BillEva Investments - Matt Wallace - Ankeny

DK Clark Properties - Ken Clark - West Des Moines

Mike Clark Properties - Mike Clark - West Des Moines

Peoples Company Cedar Valley - Matthew Good - Cedar Falls

RE Specialists, LLC - Ryan Winter - Des Moines

Jerad Sharp - Indianola

New Vendor Partners

ServiceMaster by Kintz - Kirk Kintz - Des Moines (see information about their services on page 2)

Peoples Management Group, LLC - Andy Westlake - Indianola (see their introduction on page 3)

Spring Educational Seminar and Trade Show

Thank you to all the ILA members and speakers that attended the spring seminar. Everyone agreed it was the best speaker line up we have ever had.

Also, a thank you to the vendor partners that participated and donated door prizes.



Seminar attendees enjoy a "backyard barbecue" buffet lunch at the top of the Tower (photo by The Des Moines Register vendors)



Kirk Kintz owner of ServiceMaster Clean by Kintz and ILA Vice President Rex McClafflin give away a door prize

Congratulations to all winners: Dan Garringer, Laura Williams, Lodean Suleiman, Frank Sproel, Audrene Hansen, Paula Page, Bruce Kalisek, Shawn McAninch, Helen Rodish, Anita Warren, Jackie Romp.

NEW VENDOR

**ServiceMASTER
Clean**
by KINTZ
262-6432 • 964-3239
285-5518

SERVICEMASTER CLEAN BY
KINTZ

Rainy season is here and we are here to help! ServiceMaster Clean by Kintz cleans carpets, area rugs, upholstery and also does general housewide cleanings, as well as water and fire mitigation, trauma and vandalism clean up and mold remediation.

We have 24-hour emergency services if you need us at anytime.

Our staff at ServiceMaster Clean by Kintz is dedicated to providing the best customer service and we are also an IICRC certified firm. Please call our office with any questions.

ServiceMaster Clean by
Kintz
5499 NE 14th Street
Des Moines, IA 50313
(515) 262-6432
smkintzengr@aol.com

ILA Legislative Report

Joe Kelly
ILA Lobbyist



The first session of the 83rd General Assembly adjourned at 5:55 a.m. on Sunday, April 26, ironically the same date of adjournment as the 2008 session.

Top Issue: Plumbing Bill It was the third consecutive year for a plumbing bill in the Iowa legislature. In 2007, the original law was passed setting up the Plumbing Board within the Iowa Department of Public Safety. Last year another bill was passed adding provisions to the existing law. For the first two years of this subject matter, landlords were left out of the bills, with the

expectation that the Plumbing Board would handle our concerns by means of adopting an administrative rule. The board did adopt a rule, but the rule was not relevant to the work of rental property owners. However, in 2009, legislators heard our concerns. SF 224, formerly SSB 1102, was introduced in late January. It was quite a contentious journey for the next three months, passing the legislature on April 24. The Senate vote was 31-18, and the House agreed on a vote of 71-19. As is always the case in a bill like SF 224, there are changes made in the bill throughout the process. Landlords didn't get everything we wanted in SF 224, but we did accomplish the most important items. The most important victory was to be able to do routine maintenance on plumbing/HVAC, as well as to be able to do repair and replacement of fixtures without having to have a plumbers' license or without having to hire someone with a license to do the work. Even though enforcement of SF 224 will be spotty for some time in the future, SF 224 does give the

Legislative Report Continued ...

plumbing board the authority to impose fines not to exceed \$5,000. Here is the definition of routine maintenance from SF 224: "Routine maintenance" means the maintenance, repair, or replacement of existing fixtures or parts of plumbing, HVAC, refrigeration, or hydronic systems in which no changes in original design are made. Fixtures or parts do not include smoke and fire dampers, or water, gas, or steam piping permanent repairs except for traps or strainers. Routine maintenance shall include emergency repairs, and the board shall define the term emergency repairs to include the repair of water pipes to prevent imminent damage to property. "Routine maintenance" does not include the replacement of furnaces, boilers, cooling appliances, or water heaters more than one hundred gallons in size.

Court Fees

The legislature, in conjunction with the Iowa Judicial Branch, inserted some increased court fees as a part of SF 478, the final bill of the session. Most legislators did not know that this material was going to be a part of SF 478. The increased court fees had not been discussed at the legislature, earlier in the session, in any kind of specific manner. Funding for the Iowa Judicial Branch is contained in a separate budget bill dedicated to funding for the Judicial Branch. One method for dealing with this issue would have been to have considered the fee increases as a part of the regular budget bill. In that way, the issue would have been discussed at the subcommittee, full committee, and floor votes in both the House and Senate. Technically that happened with SF 478. However, SF 478 came out only a short time before it was voted on. SF 478 was a large, catch all bill with scores of topics contained therein. It was the greatest process. But, the practical result is that court fees are likely to increase.

At the time this material was being written, SF 478 had not been considered by Governor Culver. Since SF 478 is an appropriations bill, Governor Culver will have the option to line item veto material, instead of a veto of the entire bill, as is usually the case. The fee increase that affects most landlord activity is the small claims filing fee which would increase from \$50 to \$85. Proponents point out that Iowa fees would still be lower than most surrounding states and that without the increase in funding, there would be diminished court services to Iowans.

Private Cause of Action

For the past twenty years, the Iowa Attorney General has asked the legislature to enact a law allowing individual Iowans to file consumer fraud lawsuits. Each year, the legislature turned down the request. 2009 was different. The Iowa legislature has passed HF 712, making Iowa the 50th state to allow such lawsuits. Obviously, not all the states have the same kinds of consumer fraud laws. HF 712 is flawed in the sense that a great deal of professionals and businesses were exempted. The theory was not many of these professionals, such as lawyers, insurance companies, and doctors, are already licensed and regulated. However, having a licensing board impose a fine on a professional doesn't do a consumer any good. In any event, HF 712 was amended heavily from the version of the bill as first introduced. It is believed that HF 712 will not be a vehicle for frivolous lawsuits. There can be no class action lawsuits unless they are first approved by the Attorney General.

Lead Safe Renovators

HF 314 was passed by the legislature and signed by Governor Culver on April 2. HF 314 was introduced by the Iowa Department of Health (IDPH). HF 314 was supported by landlords. Supporting this bill was an easy call for us. We didn't have much of a choice. It's either have the Iowa Department of Health manage the licensing process or have the federal Department of Housing and Urban Development license the lead paint renovators. It's much more practical to have all the lead paint issues in general, and licensing in particular, come from the Iowa Department of Health.

Look for additional 2009 Legislative updates in next month's Newsletter.

NEW VENDOR



PEOPLES MANAGEMENT GROUP, LLC

Peoples Management Group, LLC (PMG) provides comprehensive property management services for most types of income-producing assets. We employ the latest technology to efficiently manage all aspects of our portfolio including finances, leasing, maintenance, marketing, reporting and tenant relationships. In most cases, investors will achieve increased returns and efficiencies as a result of PMG's experience, expertise and bargaining power.

To discuss how PMG can assist you with all of your property management needs, call Andrew Westlake at (515) 771-7588.



June 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 	4	5	6
7	8	9	10	11	12	13
14 Flag Day	15	16	17	18 ILA Summer Breakfast Meeting 7:30 a.m. Cub Club Principal Park	19	20
21 	22	23	24	25	26	27
28	29	30				



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