



IOWA LANDLORD ASSOCIATION NEWSLETTER  
www.iowalandlord.org

August 2009

**ILA LEADERSHIP**

President and Legislative Chair  
Pat Knueven (515) 278-2821  
pres@iowalandlord.org

Vice President  
Rex McClafin (515) 556-1053  
vpres@iowalandlord.org

Secretary  
Nancy Bunker (515) 278-1222  
sec@iowalandlord.org

Treasurer and Newsletter Editor  
Connie Huff (515) 255-0675  
treas@iowalandlord.org

Vendor Committee Co-chairs  
Karen Goldsworth (515) 276-7030  
Gordon Kratz (515) 986-4442  
vendor@iowalandlord.org

Education Committee  
education@iowalandlord.org

Membership Committee Co-chairs  
Kent and Beverly Lehs (515) 279-4699  
membership@iowalandlord.org

Public Relations Committee  
publicrelations@iowalandlord.org

Directors—Dennis McDonald and  
David Sollenbarger



**From the Desk of Your Directors**

As well as enjoying a wonderful lineup of past educational speakers and events this summer, we are looking forward to our Cub Club breakfast and annual ILA Family Picnic this month. We will resume the "Lunch and Learn" format on the 3rd Thursday of September and October followed by the always informative and entertaining Fall Educational Seminar and Trade Show to be held on November 19.

To increase the value to yourself as a member of the ILA, join one of our committees. Become further involved and enjoy the fellowship derived from working with other committee members. (see the list to the left of this page)



**AUGUST CUB CLUB BREAKFAST MEETING**

Our speaker will be Ryan Sesker, a mortgage banker with BANK IOWA. Ryan will talk about new mortgages for investment properties as well as refinancing your existing rental properties in this historically low interest rate climate.

Have you considered using the equity in your existing rental property to purchase additional rentals? This may just be the perfect economic time to make such a move. Ryan, a fellow rental property owner, will explain to us how and why to do just this.

We look forward to seeing you at this final Cub Club breakfast of the season Aug. 20, 7:30 a.m. Cost of the breakfast buffet is \$20. For reservations, call Connie at (515) 255-0675 or email her: [ilaservices@iowalandlord.org](mailto:ilaservices@iowalandlord.org).

**Welcome New Vendor Partner**

Iowa Process Service - Linda Mathews,  
President - Des Moines (see details on page two of this Newsletter)



THE ILA ANNUAL FAMILY PICNIC HAS BEEN SCHEDULED!  
SEE PAGE THREE FOR DETAILS



## NEW VENDOR



### Iowa Process Service Joins ILA!

As new members of the Iowa Landlord Association, Iowa Process Service is here to help if you ever need to serve notice on a tenant.

We can serve the Three-Day Notice, the Forcible Entry and Detainer and any required certified mailings. You will receive an email status report when your notice has been served as well as an Affidavit of Service.

Discounts apply for members of the Iowa Landlord Association. Give us a call toll-free today at (877) 816-4696.

### Energy Efficiency Audits for Landlords

ILA members were treated to a wealth of information by Ron Bugenhagen of Atec Engineering regarding energy audits for Landlords during the summer breakfast meeting at the Cub Club in June.

Ron announced information about several lucrative energy saving rebates that are available to rental housing property owners. There are two classifications of Energy Saving Audits available. One classification is for single family and duplex buildings. The other is for triplex and larger buildings. Rebates are available for the installation of many energy saving devices; such as insulation, windows, heating, cooling, lighting, doors and water conservation devices.

You can obtain these rebates by first arranging an Energy Audit by calling 1-800-894-9599. The Energy Auditor will also present you with some free energy saving gifts.

By utilizing these energy saving upgrades you will not only enjoy the rebate subsidies but you will experience long-term utility cost savings and increased property value.

Additional detail can be found on MidAmerican's website:

[www.midamericanenergy.com](http://www.midamericanenergy.com) by clicking on the Energy Efficiency tab and then scrolling down to the heading of "Brochure and Application Form" and clicking on the red "brochure" word.



ILA members enjoy a buffet breakfast, great scenery and obtain important information at the summer breakfast meeting.

### NATIONAL NIGHT OUT

The community plays a vital role in assisting the Des Moines Police Department in crime, drug, and violence prevention efforts. We would encourage all neighborhood associations, businesses, civil groups, schools and churches to make a special effort to get to know your neighbors and the police department. For many years groups have had block parties, cookouts, and other special events, with a special emphasis on your police-community partnership.

If your organization or group is planning a special National Night Out activity on August 4, please contact the Des Moines Police Department and they will make every effort to have a police officer stop by your National Night Out event and say hello.

You can contact Sgt. Larry Davey, Officer Kelly Fisher, Officer Larry D Rogers or Officer Steve

Anderson with the Des Moines Police Department at (515) 237-1565 or email Officer Larry Rogers at: [ldrogers@dmgov.org](mailto:ldrogers@dmgov.org)

### GIVE NEIGHBORHOOD CRIME and DRUGS A GOING AWAY PARTY!



### AMERICA'S NIGHT OUT AGAINST CRIME!



## ASK AN ATTORNEY Legal Q & A

by Mark V. Hanson  
Attorney at Law,  
Whitfield & Eddy, P.L.C.

[hanson@whitfieldlaw.com](mailto:hanson@whitfieldlaw.com)

### Question: Service of Forcible Entry and Detainer.

#### Response:

I recently did a little pro bono representation of a defendant against a plaintiff who was sued by the Iowa Attorney General for fraudulent real estate sales contracts. I could only hope to buy the defendant time, but did not want the guy to lose the property to the plaintiff. At an FED hearing, I wanted to raise any objection I could to the court having jurisdiction. In the court file, for service of process of the FED petition, was only a showing of mailing certified mail. I questioned it, and was informed it was allowed by Iowa Code 562A.29A.

562A.29A Method of notice and service of process.

Notwithstanding sections 631.4 and 648.5, the written notice of termination required by section 562A.27, subsection 1 or 2, a notice of termination and notice to quit under section 562A.27A, a notice to quit as required by section 648.3, or a petition for forcible entry and detainer pursuant to chapter 648, may be served upon the tenant in any of the following ways:

1. By personal service.
2. By sending notice by certified or restricted certified mail, as defined in section 618.15, whether or not the tenant signs a receipt for the notice.

92 Acts, ch 1211, §2; 96 Acts, ch 1203, §3; 99 Acts, ch 155, §7, 14

I had forgotten about this statute section, so I reviewed what I have said about this previously.

In the January 2004 newsletter article, I said this about service by certified mail:

FED:

2. Certified mail. I.C. 562A.29A. I am not comfortable with this one, but maybe some of you use this and it works fine. The Code does not say who can do the mailing—the landlord or the clerk of court. I would see if the clerk of court would do it upon payment of fees. If the landlord does it, I would file proof of service with the clerk of court prior to three days before hearing date.

At the above mentioned FED hearing, I was informed by the magistrate this is a commonly accepted method of service. So there you have it. It is accepted.

The court attendants will require the landlord to provide proof of service of required notices. You can do this by Affidavit of Service, (see my Landlord’s Packet) stating you served the notice, what the notice was, on whom you served it, the date, the location, attach a copy of the notice, attach the original white slip if you mailed certified, sign and date it, and have your signature notarized. I often use the following in place of a notary: “I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the preceding is true and correct.” And date and sign this separate from the prior date and signature so there are two dates and signatures.

*“The determination of the need for legal services and the choice of a lawyer are extremely important decisions and should not be based solely upon advertisements or self-proclaimed expertise. This disclosure is required by the rule of the Supreme Court of Iowa.”*



## ILA PICNIC



### Annual Sizzle'n Summertime Family Picnic

On August 23, we will be hosting the ILA Annual Sizzle'n Summertime Family Picnic for the fourth year at Raccoon River Park, 1223 S. 24th Court, West Des Moines, in Shelter “Coneflower A” from 11 a.m. until 3 p.m. (Lunch will start around noon).

ILA will provide the hamburgers, cheese, buns, plates, tableware and condiments. All you need to bring is a covered dish (with a serving spoon) and your appetite.

There will be plenty of food, games for the kids to play and prizes to be given away. Get in on what will be an afternoon of good food, family fun and sun! Call Connie at (515) 255-0675 or email us at: [ilaservices@iowalandlord.org](mailto:ilaservices@iowalandlord.org) with the number of family members who will be attending.



# August 2009

Sunday

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 National Night Out	5	6	7	8
9	10 	11	12	13 First Day of the Iowa State Fair	14	15
16	17	18	19	20 Breakfast Meeting 7:30 a.m. Cub Club at Principal Park	21	22
23/30 Aug. 23 - ILA Annual Family Picnic - Raccoon River Park, WDM - 11 a.m.-3 p.m.	24/31	25	26	27	28 National Safe at Home Week	29



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