

GREATER IOWA CITY AREA APARTMENT ASSOCIATION

February 2018
Newsletter

Better Landlording through Education

JOIN US FOR OUR FEBRUARY 27TH, 2018
MEMBER LUNCHEON FEATURING:

Stan Laverman City of Iowa City Senior Housing Inspector

The speaker for our February 27 meeting will be Stan Laverman, Senior Housing Inspector with the City of Iowa City. Laverman will discuss the recently approved housing code changes and their relationship to allowed occupancy at rental properties. He will also discuss proposed zoning code changes and their relationship to occupancy



2018 - 2019 Board

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Membership Meeting at Flannigan's in the IOWA RIVER POWER COMPANY

Our next General Membership meeting will be held Tuesday February 27th, at 11:30 am at Flannigan's in the Iowa River Power Company, 501 - 1st Ave, Coralville.

Any interested member of the Association is welcome to attend starting at 12 noon. If you wish to have lunch, please arrive at 11:30. The buffet lunch will include Pasta Alfredo, grilled chicken, salad, fruit, dessert and drink.

Please RSVP by email (apartmentassoc@gmail.com) or phone to Michelle Lamkins at (319) 338-7058 with the number of individuals from your office or home who will be attending. Cost is \$12.00 per person. It is important to let us know if you will be attending and having lunch. If you do not RSVP and intend to have lunch, you will be asked to wait to serve yourself until we are sure that we can provide food for those who have RSVP'd.

The speaker will have the floor from noon to 1pm.

LUNCH IS \$12.00 AT THE DOOR.

LANDLORDS DAY ON THE HILL

by Kyle Vogel

On Tuesday, February 6th, landlords, property managers, and real estate investors from all over Iowa came to Des Moines to spend a day at the Capitol for the 2018 Landlords Legislative Day on the Hill. Landlords of Iowa (the State organization our local chapter belongs to) shared a schedule of meetings with the Iowa Landlord Association. The day started with a morning conference to discuss legislation of import for our groups. Joe Kelly, the Landlords of Iowa lobbyist, and Andrew Lietzow, the Iowa Landlords Association lobbyist both ran our groups through bills and resolutions we should talk with our legislators about during the day.



I personally had the opportunity to speak with Rep. Mary Mascher and Rep. Dave Jacoby. Sen. Robert Dvorsky could not meet with me, but did message me a few times during the day and put me together with his legislative aid to discuss some of the pressing issues on the Senate side. Rep. Vicky Lensing did not respond to any of our requests to meet, which was unfortunate since HF2284 was on her docket that day in the Judicial Committee. HF2284 (and its Senate counterpart SF2237) would make rent judgments the same as any other money judgments, allowing landlords to have 10 years to collect on them, instead of the current limit of 5 years. Rep. Lensing voted against HF2284 in committee that day, but it passed through anyway.

Rep. Jacoby took quite a bit of time out of his day to speak with me about landlord legislation, especially about HF2295, which is a bill that his subcommittee had a hearing on that day that deals with penalties for people who misrepresent an animal as a service animal or assistance animal. He will be continuing to work on this in coordination with the Iowa Civil Rights Commission and our lobbyists, to make sure that the wording adequately covers the needs of landlords and limits the ability of people to "work" the system by misrepresenting pets as medically necessitated service and assistance animals

Last week was the deadline for bills to make it through committees in order to continue being debated for approval in this legislative session. In addition to both the bills referenced above, HF2384 also made it through committee and could still move forward. HF2384 was brought to the
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legislature by the lobbyist for the Greater Iowa Apartment Alliance (another state landlord group associated with the National Apartment Association). This bill is a response to the recent Supreme Court decisions, and would change the language that penalizes a landlord who "includes" an illegal provision in their lease and replaces it with the word "use", so that penalties/damages would only be due if a landlord "used" an illegal provision and not if they simply have one in their lease.

If you don't currently get regular Capital updates from Joe Kelly, you can email him at joe@iamha.org and ask him to add you to his email list. Also, please do reach out to our local legislators about these bills. Our voices at the local level make a big difference when they are determining whether to support legislation, especially at the subcommittee and committee levels. You can find who your legislators are here - <https://www.legis.iowa.gov/legislators/find>.

And, please consider joining us next year for the 2019 Legislative Day. It truly is an amazing experience to be there with fellow professionals in our field, fighting for our needs and acting with a unified voice.

UPDATE FROM JOE KELLY – LANDLORDS OF IOWA LOBBYIST

As many of you know, the first funnel, or deadline date, has come for the Iowa legislature. Most bills, except tax or appropriation bills, had to be voted out of a committee in either the House or Senate to remain eligible for debate this year. The next deadline is a month away, when bills have to have passed a floor vote in either the House or Senate and voted out of a committee in the other chamber.

Listed below are the bills which are still eligible for debate that we have an interest in. We are registered in favor of all these bills except SF 42. We are registered as undecided on SF 42.

House File 2384: A bill for an act relating to unenforceable provisions in rental agreements. (Formerly HSB 633.) HF 2384 was introduced by the Iowa Apartment Alliance. It seeks to revise the Iowa Supreme Court decision on the meaning of "using" an illegal provision in a lease. Landlords are currently negotiation with the Iowa Bar Association and the Attorney General on language.

House File 2295: A bill for an act relating to the misrepresentation of a person as an owner or trainer of a service dog or assistive animal and providing penalties. HF 2295 is the only bill remaining on service/assistant animals. HF 2295 was voted out of the House Judiciary Committee this week. HF 2295 will be amended on the floor of the House.

House File 2284: A bill for an act relating to the statute of limitations period for executing judgments on claims for rent. (Formerly HSB 542.)

Senate File 2237: A bill for an act relating to the statute of limitations period for executing judgments on claims for rent. (Formerly SSB 3037.) HF 2284 and SF 2237 are companion bills on the issue of making money judgments the same as other judgments with regard to how much time is available to execute or collect on the judgments. Both bills are on the debate calendar. They are currently in different forms. We will be seeking to amend the bills to state that rental judgments will be 10 years on non-courts of record, usually small claims court; and 20 years for courts of record, primarily district court.

Senate File 2215: A bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property. (Formerly SSB 3090.)

House File 2286: A bill for an act prohibiting cities and counties from imposing time-of-sale requirements on transactions involving real property. (Formerly HSB 596.) SF 2215 and HF 2286 were introduced by the Iowa Realtors Association. The bills help landlords who are selling their properties, either outright or selling the homes on contract.

Senate File 42: A bill for an act relating to jurisdictional changes to small claims court cases. SF 42 is one of those bills that look attractive at first reading; however, further analysis reveals that it might not be so good for landlords. The bill would raise the jurisdictional limit for small claims from \$5000 to \$10,000. SF 42 was voted out of Senate Judiciary Committee this week, but it was amended down to \$7,500. The first issue for landlords is that, if SF 42 becomes law, you will see small claims court become more crowded. When small claims court becomes more crowded, your eviction cases could be delayed, especially in smaller counties. There is another issue regarding whether defendants could have the right to demand a jury trial if jurisdictional limits are increased.

House File 2396: A bill for an act relating to the misrepresentation of a person as an owner or trainer of a service dog or assistive animal and providing penalties.

LANDLORDS OF IOWA HIRES EXECUTIVE DIRECTOR, NEW STATE PRESIDENT ELECTED

The Landlords of Iowa organization has recently hired Pete McRoberts, Principal with Dash Management, as part-time Executive Director. McRoberts will provide Landlords of Iowa (LOI) with organizational management services. The ED position will be part time, to include weekly support and direction in the areas of Administration, Communications, Finance, Government Relations, Legal, Member Development, and Member Services.

Landlords of Iowa also recently elected a new President, Marc Gillette, of Burlington, IA..

Vice President, Chris Villhauer, of Iowa City (New)

Treasurer, Fred Rhodes, of Marshalltown (Re-Elected) and Secretary, Kim Frederickson, of Cedar Rapids (Re-Elected)

Calendar

Greater Iowa City Area Apartment Association meetings are held on the **4th Tuesday of each month at Iowa River Power Company.**

February 27: GICAA lunch meeting, 11:30 am at Flannigan's in Iowa River Power Co.

March 12-16: University of Iowa & Iowa City Community Schools Spring Break

March 27: GICAA Lunch meeting, 11:30 am – Flannigan's in Iowa River Power Co.

