

481—66.1 (83GA,SF484) Definitions.

“Activities of daily living” means the following self-care tasks: bathing, dressing, grooming, eating, transferring, toileting, and ambulation.

“Affiliated person or entity” means an individual operating as a sole proprietorship who is related within the third degree of consanguinity to the boarding home owner or lessee; or a business entity with common ownership or with 25 percent or more ownership by the boarding home owner or lessee.

“Assistance” means aid or help.

“Boarding home” means a premises used by its owner or lessee for the purpose of letting rooms for rental to three or more persons not related within the third degree of consanguinity to the owner or lessee where supervision or assistance with activities of daily living is provided to such persons. A boarding home does not include a facility, home, or program otherwise subject to licensure or regulation by the department of human services, the department of inspections and appeals, or the department of public health.

“Commencing operations” means the date on which a premises becomes a boarding home by renting to a third individual who meets the requirements pursuant to the definition of “boarding home.”

“Department” means the department of inspections and appeals.

“Director” means the director of the department of inspections and appeals.

“Known” means information that an owner, a lessee, or a manager possesses without seeking additional information from tenants.

“Lessee” means a person who leases the boarding home from its owner.

“Multidisciplinary team” means a team consisting of members of various departments as is appropriate for an investigation. The team may include employees of the department of inspections and appeals, the department of human services, the state fire marshal and the division of criminal investigation of the department of public safety, the department of justice, or other local, state, and federal agencies.

“Premises” means a room and the structure of which it is a part and facilities and appurtenances to it and grounds, areas and facilities held out for the use of tenants generally or whose use is promised to the tenant.

“Preponderance of the evidence” means that the evidence, considered and compared with the evidence opposed to it, produces the belief in a reasonable mind that the allegations are more likely true than not true. A “preponderance of the evidence” standard does not require that the investigator personally witnessed the alleged violation.

“Probable cause” means a reasonable suspicion to believe that a boarding home is in violation of 2009 Iowa Acts, Senate File 484, sections 3 to 6 [Iowa Code chapter 135O], licensing or other regulatory requirements of the department of human services, department of inspections and appeals, or department of public health; or that dependent adult abuse of any individual living in the boarding home has occurred or is occurring.

“*Responsible party*” means the individual designated on the registration of a boarding home as the department’s primary contact.

“*Room*” means an apartment, group of rooms, or single room that is occupied as a separate living quarter or, if vacant, that is intended for occupancy as a separate living quarter, in which a tenant can live and sleep separately from any other persons in the building and that has direct access from the outside of the building or through a common hall.

“*Supervision*” means oversight necessary to prevent accidents or ensure the health, safety, and welfare of the tenant.

“*Third degree of consanguinity*” means the following relatives of the owner or lessee: spouse, children, parents, siblings or half-siblings, grandchildren, grandparents, uncles, aunts, nephews, nieces, great-grandparents, and great-grandchildren.

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