

(p. 46) 3/8/94 (House) Ways & Means  
(p. 74) 3-17-94 House - Do Pass

FILED FEB 14 1994

SENATE FILE 2133  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 2102)

Passed Senate, <sup>(p. 530)</sup> Date 3/7/94 Passed House, <sup>(p. 1398)</sup> Date 4/2/94  
Vote: Ayes 47 Nays 0 Vote: Ayes 95 Nays 0  
Approved April 28, 1994

(28m)

A BILL FOR

1 An Act relating to rent reimbursement claims for low-income  
2 persons and providing an effective and applicability date  
3 provision.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2133

1 Section 1. Section 425.17, subsection 2, paragraph b,  
2 unnumbered paragraph 2, Code Supplement 1993, is amended to  
3 read as follows:

4 "Claimant" under paragraph "a" or "b" includes a vendee in  
5 possession under a contract for deed and may include one or  
6 more joint tenants or tenants in common. In the case of a  
7 claim for rent constituting property taxes paid, the claimant  
8 shall have rented the property during any part of the base  
9 year. If a homestead is occupied by two or more persons, and  
10 more than one person is able to qualify as a claimant, the  
11 persons may determine among them who will be the claimant. If  
12 they are unable to agree, the matter shall be referred to the  
13 director of revenue and finance not later than ~~October 31~~ June  
14 1 of each year and the director's decision is final.

15 Sec. 2. Section 425.17, subsections 3 and 9, Code  
16 Supplement 1993, are amended to read as follows:

17 3. "Gross rent" means rental paid at arm's length ~~solely~~  
18 for the right of occupancy of a homestead or mobile home,  
19 including rent for space occupied by a mobile home not to  
20 exceed one acre ~~exclusive of charges for any utilities,~~  
21 ~~services, furniture, furnishings, or personal property~~  
22 ~~appliances furnished by the landlord as a part of the rental~~  
23 ~~agreement whether or not expressly set out in the rental~~  
24 agreement. If the director of revenue and finance determines  
25 that the landlord and tenant have not dealt with each other at  
26 arm's length, and the director of revenue and finance is  
27 satisfied that the gross rent charged was excessive, the  
28 director shall adjust the gross rent to a reasonable amount as  
29 determined by the director. ~~If the landlord does not supply~~  
30 ~~the charges for any utilities, services, furniture,~~  
31 ~~furnishings, or personal property appliances furnished by the~~  
32 ~~landlord, or if the charges appear to be incorrect, the~~  
33 ~~director of revenue and finance may apply a percentage~~  
34 ~~determined from samples of similar gross rents paid solely for~~  
35 ~~the right of occupancy.~~

1 9. "Rent constituting property taxes paid" means twenty-  
2 ~~seven-and-one-half~~ twenty-three percent of the gross rent  
3 actually paid in cash or its equivalent during the base year  
4 by the claimant or the claimant's household solely for the  
5 right of occupancy of their homestead in the base year, and  
6 which rent constitutes the basis, in the succeeding year, of a  
7 claim for reimbursement under this division by the claimant.

8 Sec. 3. Section 425.20, unnumbered paragraph 1, Code 1993,  
9 is amended to read as follows:

10 A claim for reimbursement for rent constituting property  
11 taxes paid shall not be paid or allowed, unless the claim is  
12 actually filed with and in the possession of the department of  
13 revenue and finance on or before ~~October 31~~ June 1 of the year  
14 following the base year.

15 Sec. 4. Section 425.26, subsection 2, Code 1993, is  
16 amended to read as follows:

17 2. Property taxes due or rent constituting property taxes  
18 paid, including ~~the portion of gross rent paid for providing~~  
19 ~~utilities, services, furniture, furnishings, and personal~~  
20 ~~property appliances,~~ and the name and address of the owner or  
21 manager of the property rented and a statement whether the  
22 claimant is related by blood, marriage, or adoption to the  
23 owner or manager of the property rented;

24 Sec. 5. This Act takes effect January 1, 1995, for rent  
25 reimbursement claims filed on or after that date.

26 EXPLANATION

27 The bill removes the requirement that the low-income  
28 claimant for reimbursement of rent constituting property taxes  
29 exclude from gross rent charges for utilities, services and  
30 furnishings that are included in the claimant's rental payment  
31 and reduces the rent constituting property taxes paid  
32 percentage from 27.5 percent to 23 percent. It also changes  
33 the filing deadline from October 31 to June 1 to make it  
34 consistent with the deadline for property tax credit claims.

35 The bill is effective January 1, 1995, for rent

1 reimbursement claims filed on or after that date.

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Lloyd-Jones - Chair  
Riordan

SSB-2102  
Ways + Means

Bennett

SENATE FILE 2133  
BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON DIELEMAN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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6 which rent constitutes the basis, in the succeeding year, of a  
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8 Sec. 3. Section 425.20, unnumbered paragraph 1, Code 1993,  
9 is amended to read as follows:

10 A claim for reimbursement for rent constituting property  
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15 Sec. 4. Section 425.26, subsection 2, Code 1993, is  
16 amended to read as follows:

17 2. Property taxes due or rent constituting property taxes  
18 paid, including ~~the-portion-of-gross-rent-paid-for-providing~~  
19 ~~utilities,-services,-furniture,-furnishings,-and-personal~~  
20 ~~property-appliances,-and~~ the name and address of the owner or  
21 manager of the property rented and a statement whether the  
22 claimant is related by blood, marriage, or adoption to the  
23 owner or manager of the property rented;

24 Sec. 5. This Act takes effect January 1, 1995, for rent  
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S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

1 reimbursement claims filed on or after that date.

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SENATE FILE 2133

AN ACT

RELATING TO RENT REIMBURSEMENT CLAIMS FOR LOW-INCOME PERSONS AND PROVIDING AN EFFECTIVE AND APPLICABILITY DATE PROVISION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 425.17, subsection 2, paragraph b, unnumbered paragraph 2, Code Supplement 1993, is amended to read as follows:

"Claimant" under paragraph "a" or "b" includes a vendee in possession under a contract for deed and may include one or more joint tenants or tenants in common. In the case of a claim for rent constituting property taxes paid, the claimant shall have rented the property during any part of the base year. If a homestead is occupied by two or more persons, and more than one person is able to qualify as a claimant, the persons may determine among them who will be the claimant. If they are unable to agree, the matter shall be referred to the director of revenue and finance not later than ~~October-31~~ June 1 of each year and the director's decision is final.

Sec. 2. Section 425.17, subsections 3 and 9, Code Supplement 1993, are amended to read as follows:

3. "Gross rent" means rental paid at arm's length solely for the right of occupancy of a homestead or mobile home, including rent for space occupied by a mobile home not to exceed one acre ~~exclusive of charges for any utilities, services, furniture, furnishings, or personal property~~

~~appliances furnished by the landlord as a part of the rental agreement whether or not expressly set out in the rental agreement. If the director of revenue and finance determines that the landlord and tenant have not dealt with each other at arm's length, and the director of revenue and finance is satisfied that the gross rent charged was excessive, the director shall adjust the gross rent to a reasonable amount as determined by the director. If the landlord does not supply the charges for any utilities, services, furniture, furnishings, or personal property appliances furnished by the landlord, or if the charges appear to be incorrect, the director of revenue and finance may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.~~

9. "Rent constituting property taxes paid" means twenty-seven and one-half ~~twenty-three~~ percent of the gross rent actually paid in cash or its equivalent during the base year by the claimant or the claimant's household solely for the right of occupancy of their homestead in the base year, and which rent constitutes the basis, in the succeeding year, of a claim for reimbursement under this division by the claimant.

Sec. 3. Section 425.20, unnumbered paragraph 1, Code 1993, is amended to read as follows:

A claim for reimbursement for rent constituting property taxes paid shall not be paid or allowed, unless the claim is actually filed with and in the possession of the department of revenue and finance on or before ~~October-31~~ June 1 of the year following the base year.

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claimant is related by blood, marriage, or adoption to the owner or manager of the property rented;

Sec. 5. This Act takes effect January 1, 1995, for rent reimbursement claims filed on or after that date.

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LEONARD L. BOSWELL  
President of the Senate

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HAROLD VAN MAANEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2133, Seventy-fifth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved April 28, 1994

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TERRY E. BRANSTAD  
Governor