

Senate Study Bill 14

Bill Text

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1 1 Section 1. Section 384.84, subsection 3, paragraph d, Code
1 2 1997, is amended to read as follows:

1 3 d. For a

~~residential~~

- rental property where a charge for

1 4 water service is separately metered and paid directly by the
1 5 tenant, the rental property is exempt from a lien for those
1 6 delinquent charges incurred after the landlord gives written
1 7 notice to the city utility or enterprise that the tenant is
1 8 liable for the charges and a deposit not exceeding the usual
1 9 cost of ninety days of water service is paid to the utility or
1 10 enterprise. Upon receipt, the utility or enterprise shall
1 11 acknowledge the notice and deposit. A written notice shall
1 12 contain the name of the tenant responsible for charges,
1 13 address of the property that the tenant is to occupy, and the
1 14 date that the occupancy begins. A change in tenant shall
1 15 require a new written notice and deposit. When the tenant
1 16 moves from the rental property, the city utility or enterprise
1 17 shall return the deposit if the water service charges are paid
1 18 in full and the lien exemption shall be lifted from the rental
1 19 property. The lien exemption for rental property does not
1 20 apply to charges for repairs to a water service if the repair
1 21 charges become delinquent.

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EXPLANATION

1 23 This bill eliminates the restriction that limits the kinds
1 24 of separately metered rental properties to residential rental
1 25 properties, for which water services charges can be paid
1 26 directly by a tenant and which are exempt from a lien for
1 27 delinquent charges incurred after the landlord gives written
1 28 notice to the utility or enterprise that the tenant is liable
1 29 for the charges. The bill continues the requirement that a
1 30 deposit not exceeding the usual cost of 90 days of water
1 31 service be paid to the utility or enterprise and that the
1 32 landlord's written notice contain the name of the tenant, the
1 33 address of the property that the tenant is to occupy, and the
1 34 date that the occupancy is to begin. New notices and deposits
1 35 are required when there is a change in tenants.

2 1 LSB 1302DP 77

2 2 lh/sc/14