

FEB 15 1999

LOCAL GOVERNMENT

HOUSE FILE  
BY CARROLL

*276*

Passed House, Date \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to landlords' and tenants' relations, by  
2 providing notice requirements, establishing a tenant's duty to  
3 properly maintain utility facilities, and providing for other  
4 properly related matters.

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

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*HF 276*

1 Section 1. Section 562A.8, Code 1999, is amended to read  
2 as follows:

3 562A.8 NOTICE.

4 A person "notifies" or "gives" a notice or notification to  
5 another by taking steps reasonably calculated to inform the  
6 other in ordinary course whether or not the other actually  
7 comes to know of it. ~~A person "receives" a notice or~~  
8 ~~notification when it comes to that person's attention or in~~ In  
9 the case of the landlord, notice is received when it comes to  
10 the landlord's attention or when it is delivered in hand or  
11 mailed by certified mail or restricted certified mail, as  
12 defined in section 618.15, whether or not the landlord signs a  
13 receipt for the notice, to the place of business of the  
14 landlord through which the rental agreement was made or at a  
15 place held out by the landlord as the place for receipt of the  
16 communication or delivered to any individual who is designated  
17 as an agent of the landlord ~~or, when in.~~ In the case of the  
18 tenant, notice is received when it comes to the tenant's  
19 attention or when it is delivered in hand to the tenant or  
20 mailed by certified mail or restricted certified mail, as  
21 defined in section 618.15, whether or not the tenant signs a  
22 receipt for the notice, to such person at the place held out  
23 by such person as the place for receipt of the communication,  
24 or in the absence of such designation, to such person's last  
25 known place of residence.

26 Any notice required under this chapter, except a written  
27 notice of termination required by section 562A.27, subsection  
28 1 or 2, a notice of termination and notice to quit under  
29 section 562A.27A, a notice to quit as required by section  
30 648.3, or a petition for forcible entry and detainer pursuant  
31 to chapter 648, shall be deemed legally sufficient notice if  
32 made by posting at or delivering to dwelling unit. The date  
33 of posting of the notice shall be written on the notice.

34 Sec. 2. NEW SECTION. 562A.8A COMPUTATION OF TIME.

35 The calculation of all time periods required under this

1 chapter shall be made in accordance with section 4.1,  
2 subsection 34.

3 Sec. 3. Section 562A.17, Code 1999, is amended by adding  
4 the following new subsection:

5 | NEW SUBSECTION. 8. Maintain in good and safe working  
6 order all utility lines, pipes, and cables extending from the  
7 dwelling unit to outlets provided by the landlord for  
8 electric, water, sewer, and other services.

9 Sec. 4. Section 562A.29A, subsection 2, Code 1999, is  
10 amended to read as follows:

11 | 2. By sending notice by certified or restricted certified  
12 mail, as defined in section 618.15, whether or not the tenant  
13 signs a receipt for the notice.

14 | Sec. 5. Section 562B.9, Code 1999, is amended to read as  
15 follows:

16 | 562B.9 NOTICE.

17 | A person "notifies" or "gives" a notice or notification to  
18 another by taking steps reasonably calculated to inform the  
19 other in ordinary course whether or not the other actually  
20 comes to know of it. ~~A person "receives" a notice or~~  
21 ~~notification when it comes to that person's attention, or in~~  
22 In the case of the landlord, notice is received when it comes  
23 to the landlord's attention or when it is delivered in hand or  
24 mailed by certified mail or restricted certified mail, as  
25 defined in section 618.15, whether or not the landlord signs a  
26 receipt for the notice, to the place of business of the  
27 landlord through which the rental agreement was made or at any  
28 place held out by the landlord as the place for receipt of the  
29 communication or delivered to any individual who is designated  
30 as an agent by section 562B.14 or, in, In the case of the  
31 tenant, notice is received when it comes to the tenant's  
32 attention or when it is delivered in hand to the tenant or  
33 mailed by certified mail or restricted certified mail, as  
34 defined in section 618.15, whether or not the tenant signs a  
35 receipt for the notice, to the tenant at the place held out by

1 the tenant as the place for receipt of the communication or,  
2 in the absence of such designation, to the tenant's last known  
3 place of residence other than the landlord's mobile home or  
4 space.

5 Any notice required under this chapter given to all tenants  
6 of a mobile home park, except a written notice of termination  
7 required by section 562B.25, subsection 1 or 2, a notice of  
8 termination and notice to quit under section 562B.25A, a  
9 notice to quit as required by section 648.3, or a petition for  
10 forcible entry and detainer pursuant to chapter 648, shall be  
11 deemed legally sufficient notice if made by posting at or  
12 delivering to each mobile home space. The date of posting of  
13 the notice shall be written on the notice.

14 Sec. 6. NEW SECTION. 562B.9A COMPUTATION OF TIME.

15 The calculation of all time periods required under this  
16 chapter shall be made in accordance with section 4.1,  
17 subsection 34.

18 Sec. 7. Section 562B.18, Code 1999, is amended by adding  
19 the following new subsection:

20 NEW SUBSECTION. 6. Maintain in good and safe working  
21 order all utility lines, pipes, and cables extending from the  
22 mobile home to outlets provided by the landlord for electric,  
23 water, sewer, and other services.

24 Sec. 8. Section 562B.27A, subsection 2, Code 1999, is  
25 amended to read as follows:

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

29 EXPLANATION

30 This bill provides requirements for giving notice between a  
31 landlord and a tenant in a residential dwelling or a tenant in  
32 a mobile home park for most purposes except written notice of  
33 termination pursuant to Code section 562A.27, subsection 1 or  
34 2, a notice of termination and notice to quit pursuant to Code  
35 section 562A.27A, a notice to quit as required by Code section

1 648.3, or a petition for forcible entry and detainer pursuant  
 2 to Code chapter 648. The notice required under Code chapters  
 3 562A and 562B may be given when a matter comes to the  
 4 attention of either party, by hand delivery, and by posting,  
 5 regular mail, certified mail, or restricted certified mail  
 6 whether or not the receiving party signs a receipt for the  
 7 notice.

8 The bill provides that a tenant has a duty to maintain in  
 9 good and safe working order all utility lines, pipes, and  
 10 cables extending from the dwelling unit to connections  
 11 provided by the landlord.

12 The bill also provides that time period requirements in  
 13 landlord-tenant relations under Code chapters 562A and 562B  
 14 are to be made and defined in Code section 4.1, subsection 34.

15 The bill provides that certified mail and restricted  
 16 certified mail used for notices are as defined in Code section  
 17 618.15.

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