

JAN 12 2004

COMMERCE, REGULATION & LABOR

HOUSE FILE 2001  
BY ELGIN

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

**A BILL FOR**

1 An Act to rescind certain notice requirements by landlords to  
2 municipal water utilities relating to liens for delinquent  
3 tenant charges.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 2001

1 Section 1. Section 384.84, subsection 3, paragraph d, Code  
2 Supplement 2003, is amended to read as follows:

3 d. Residential rental property where a charge for water  
4 service is separately metered and paid directly to the city  
5 utility or enterprise by the tenant is exempt from a lien for  
6 delinquent rates or charges associated with such water service  
7 ~~if the landlord gives written notice to the city utility or~~  
8 ~~enterprise that the property is residential rental property~~  
9 ~~and that the tenant is liable for the rates or charges.~~ A  
10 city utility or enterprise may require a deposit not exceeding  
11 the usual cost of ninety days of water service to be paid to  
12 the utility or enterprise. Upon receipt, the utility or  
13 enterprise shall acknowledge the ~~notice and~~ deposit. A  
14 ~~written notice shall contain the name of the tenant~~  
15 ~~responsible for charges, address of the residential rental~~  
16 ~~property that the tenant is to occupy, and the date that the~~  
17 ~~occupancy begins. A change in tenant shall require a new~~  
18 ~~written notice to be given to the city utility or enterprise~~  
19 ~~within ten business days of the change in tenant.~~ When the  
20 tenant moves from the rental property, the city utility or  
21 enterprise shall return the deposit if the water service  
22 charges are paid in full. A change in the ownership of the  
23 residential rental property shall require written notice of  
24 such change to be given to the city utility or enterprise  
25 within ten business days of the completion of the change of  
26 ownership. The lien exemption for rental property does not  
27 apply to charges for repairs to a water service if the repair  
28 charges become delinquent.

29 EXPLANATION

30 Under current law, a landlord must provide a written notice  
31 to a municipal utility each time there is a change in tenant  
32 to avoid a lien being placed on the landlord's rental property  
33 by the municipal utility for the tenant's delinquent charges.  
34 This bill strikes this notice requirement but the law would  
35 still provide that a landlord is exempt from a municipal

1 utility lien where the water is separately metered and paid  
2 directly to the municipal utility by the tenant.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35