

FEB 16 2006

COMMERCE, REGULATION & LABOR

HOUSE FILE 2423

BY SCHUELLER and PAULSEN

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to billing notifications for water service
2 provided by a city utility for residential rental property.

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

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HF 2423

1 Section 1. Section 384.84, subsection 3, paragraph d, Code
2 2005, 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.

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EXPLANATION

30 This bill relates to certain billing notifications required
31 by owners of residential rental property receiving water
32 service from a city utility. Under current law, if water
33 service is separately metered and paid directly by a tenant of
34 residential rental property, the owner of the property is
35 required to notify the city utility that the property is

1 rental property, that the tenant is responsible for water
2 charges at the property, and the name of the tenant. Under
3 current law, the owner must also notify the city utility each
4 time there is a change in the tenant at the residential rental
5 property within 10 days of the change in tenant. The bill
6 strikes the requirement that the owner notify the city utility
7 of the name of the tenant and the requirement that the owner
8 notify the city utility each time there is a change in the
9 tenant at the residential rental property.

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