

**House File 2471 - Introduced**

HOUSE FILE 2471  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 676)  
(SUCCESSOR TO HF 443)

**A BILL FOR**

1 An Act relating to the use of inventory checklists upon  
2 commencement and termination of residential tenancies and  
3 including applicability provisions.

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

1 Section 1. NEW SECTION. 562A.11A Landlord and tenant  
2 inventory checklist.

3 1. A landlord and tenant may agree to use a checklist to  
4 determine the condition of the dwelling unit upon commencement  
5 of and termination of a lease.

6 2. If a landlord and tenant agree to use a checklist under  
7 this section, all of the following shall apply:

8 a. The landlord shall provide the checklist to the tenant  
9 at the commencement of the tenancy. The landlord shall detail  
10 the condition of the dwelling unit and shall provide the tenant  
11 with a copy of the checklist. The checklist shall include  
12 all items that affect the habitability of the dwelling unit  
13 provided by the landlord at the commencement of the tenancy,  
14 including but not limited to flooring, window coverings,  
15 appliances, windows, furniture, walls, closets, shelves, paint,  
16 doors, plumbing fixtures, and electrical fixtures.

17 b. The tenant may review the checklist, evaluate the  
18 condition of each item, record a description of each item  
19 on the checklist, and return the checklist to the landlord  
20 within three days of receipt. A tenant that does not return  
21 the checklist within three days of receipt shall be deemed to  
22 have forfeited all rights under this section. The landlord  
23 and tenant may extend this deadline by mutual agreement. A  
24 tenant's provision of proof of mailing or other return of the  
25 checklist to the landlord shall be sufficient proof of receipt  
26 by the landlord.

27 c. A checklist used under this section shall contain the  
28 following notice using not less than twelve point bold face  
29 type at the top of the first page:

30 You should complete this inventory checklist, record a  
31 description of the condition of each item, and return it to the  
32 landlord within three days. Failure to do so will result in  
33 the forfeiture of your rights under Iowa Code section 562A.11A.

34 d. At the termination of the tenancy, the landlord shall  
35 complete a termination inventory checklist by evaluating the

1 condition of each item, recording a description of each item's  
2 condition, and delivering one copy of the checklist to the  
3 tenant as provided in section 562A.12, subsection 3, paragraph  
4 "a".

5 e. A landlord shall complete a termination checklist if  
6 a properly executed commencement checklist exists unless  
7 the tenant waives this requirement in writing prior to the  
8 termination of the tenancy.

9 3. This section shall not apply to the rental of land upon  
10 which a mobile home, as defined in section 562B.7, may be  
11 placed.

12 4. This section shall not be construed to create an  
13 obligation on a landlord to repair, replace, upgrade, or  
14 otherwise improve the dwelling unit or any item within the  
15 dwelling unit.

16 5. A tenant is deemed to be in possession of a checklist if  
17 the checklist is hand delivered or electronically delivered to  
18 the tenant at the commencement of the tenancy.

19 6. A subsequent checklist shall not be required for a  
20 renewal or extension of an existing tenancy.

21 7. A landlord shall keep a copy of all commencement and  
22 termination checklists entered into under this section for a  
23 period of one year following the termination of the tenancy,  
24 or for such longer period as the landlord may be required to  
25 retain lease documents as may be required by law.

26 8. A landlord that uses a checklist may collect a refundable  
27 deposit of an amount not to exceed one hundred fifty dollars.  
28 The landlord shall collect the deposit at such time that the  
29 tenant submits the rental application. The landlord may  
30 require the tenant to pay such deposit in the form of a check.  
31 If the tenant returns the checklist within the time required,  
32 the landlord shall return the check or other form of payment  
33 accepted by the landlord within three days. If the tenant  
34 fails to return the checklist the deposit shall be forfeited to  
35 the landlord.

1 9. A fully executed checklist under this section is presumed  
2 to be valid. Any damage not disclosed on the checklist,  
3 outside of ordinary wear and tear, is presumed to be the fault  
4 of the tenant.

5 Sec. 2. Section 562A.12, subsection 3, paragraph a,  
6 unnumbered paragraph 1, Code 2022, is amended to read as  
7 follows:

8 A landlord shall, within thirty days from ~~the date of~~  
9 ~~termination of the tenancy and receipt of the tenant's mailing~~  
10 ~~address or delivery instructions~~ the end of the lease contract  
11 or whenever the unit is re-rented, whichever is first, return  
12 the rental deposit to the tenant or furnish to the tenant a  
13 copy of any termination inventory checklist required to be  
14 completed by the landlord under section 562A.11A, subsection  
15 2, paragraph "d", and a written statement showing the specific  
16 reason for withholding of the rental deposit or any portion  
17 thereof. If the rental deposit or any portion of the rental  
18 deposit is withheld for the restoration of the dwelling unit,  
19 the statement shall specify the nature of the damages. The  
20 landlord may withhold from the rental deposit only such amounts  
21 as are reasonably necessary for the following reasons:

22 Sec. 3. Section 562A.12, subsection 4, Code 2022, is amended  
23 to read as follows:

24 4. A landlord who fails to provide a written statement  
25 and a copy of any termination inventory checklist required  
26 to be completed by the landlord under section 562A.11A,  
27 subsection 2, paragraph "d", within thirty days of termination  
28 of the tenancy and receipt of the tenant's mailing address or  
29 delivery instructions shall forfeit all rights to withhold  
30 any portion of the rental deposit. If no mailing address or  
31 instructions are provided to the landlord within one year from  
32 the termination of the tenancy the rental deposit shall revert  
33 to the landlord and the tenant will be deemed to have forfeited  
34 all rights to the rental deposit.

35 Sec. 4. APPLICABILITY. This Act applies to tenancies

1 commenced under chapter 562A on or after January 1, 2023.

2

EXPLANATION

3

The inclusion of this explanation does not constitute agreement with  
4 the explanation's substance by the members of the general assembly.

4

5 This bill amends Iowa's "Uniform Residential Landlord and  
6 Tenant Act" to allow a landlord to use inventory checklists  
7 both at the commencement and termination of tenancy for  
8 each dwelling unit. Inventory checklists are not required  
9 for a renewal or extension of an existing tenancy and the  
10 requirements of the bill do not apply to the rental of land  
11 upon which a mobile home, as defined in Code section 562B.7(6),  
12 may be placed. The checklist must include all items in  
13 the dwelling unit or on the premises owned by the landlord  
14 including but not limited to flooring, window coverings,  
15 appliances, windows, furniture, walls, closets, shelves, paint,  
16 doors, plumbing fixtures, and electrical fixtures. The tenant  
17 then reviews the checklist, evaluates the condition of each  
18 item, records a description of each item's condition on the  
19 checklist, and returns the checklist to the landlord within  
20 three days after receiving the checklist.

21 Under the bill, inventory checklists must be retained by the  
22 landlord for a period of one year following termination of the  
23 tenancy or as otherwise required by law. A landlord that uses  
24 a checklist may collect a refundable deposit no more than \$150  
25 to be returned to the tenant at the return of the checklist  
26 within the required timeline. The landlord may require  
27 the deposit to be in the form of a check. A fully executed  
28 checklist shall be presumed valid and any damage not disclosed  
29 beyond ordinary wear and tear shall be presumed to be the fault  
30 of the tenant. At the termination of the tenancy, the landlord  
31 is required to complete a termination inventory checklist by  
32 evaluating the condition of each item, recording a description  
33 of each item's condition on the checklist, and delivering a  
34 copy of the checklist to the tenant if the tenant had initially  
35 completed a checklist.

H.F. 2471

1 A landlord who fails to provide a copy of a termination  
2 inventory checklist if required by the bill forfeits the right  
3 to withhold any portion of the tenant's rental deposit.  
4 The bill applies to tenancies commenced under Code chapter  
5 562A on or after January 1, 2023.