

House File 534 - Introduced

HOUSE FILE 534

BY MASCHER, STAED, WINCKLER,
and BOHANNAN

A BILL FOR

1 An Act requiring the use of inventory checklists upon
2 commencement of a residential tenancy and including
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 562A.11A **Inventory checklists.**

2 1. A landlord shall use inventory checklists both at the
3 commencement and termination of tenancy for each dwelling unit.
4 Each inventory checklist shall detail the condition of the
5 dwelling unit or portion of the premises for which a rental
6 deposit is required.

7 2. At the commencement of the tenancy, the landlord shall
8 furnish the tenant two blank copies of a commencement inventory
9 checklist, which form shall be identical to the form used for
10 the termination inventory checklist. The checklist shall
11 include all items in the dwelling unit or on the premises
12 owned by the landlord including but not limited to carpeting,
13 draperies, appliances, windows, furniture, walls, closets,
14 shelves, paint, doors, plumbing fixtures, and electrical
15 fixtures.

16 3. *a.* The tenant shall review the checklist, evaluate the
17 condition of each item, record a description of each item's
18 condition on both copies of the checklist, return one copy of
19 the checklist to the landlord within seven days after receiving
20 possession of the dwelling unit, and retain the second copy of
21 the inventory checklist.

22 *b.* Inventory checklists received by the landlord under
23 this subsection and those inventory checklists completed upon
24 termination of the tenancy under subsection 5 shall be retained
25 by the landlord for a period of three years. A tenant shall be
26 provided copies of the inventory checklists for the dwelling
27 unit's immediately preceding tenant upon request.

28 *c.* The commencement checklist shall contain the following
29 notice using not less than twelve point boldface type at the
30 top of the first page:

31 You should complete this inventory checklist, record a
32 description of the condition of each item, and return it to the
33 landlord within seven days after obtaining possession of the
34 dwelling unit. You are also entitled to request and receive a
35 copy of the last termination inventory checklist which shows

1 what claims were charged to the last tenants.

2 4. At the termination of the tenancy, the landlord shall
3 complete a termination inventory checklist by evaluating the
4 condition of each item, recording a description of each item's
5 condition on both copies of the checklist, and delivering one
6 copy of the checklist to the tenant as provided under section
7 562A.12, subsection 3, paragraph "a".

8 Sec. 2. Section 562A.12, subsection 3, paragraph a,
9 unnumbered paragraph 1, Code 2021, is amended to read as
10 follows:

11 A landlord shall, within thirty days from the date of
12 termination of the tenancy and receipt of the tenant's mailing
13 address or delivery instructions, return the rental deposit to
14 the tenant or furnish to the tenant a copy of the termination
15 inventory checklist completed under section 562A.11A,
16 subsection 4, and a written statement showing the specific
17 reason for withholding of the rental deposit or any portion
18 thereof. If the rental deposit or any portion of the rental
19 deposit is withheld for the restoration of the dwelling unit,
20 the statement shall specify the nature of the damages. The
21 landlord may withhold from the rental deposit only such amounts
22 as are reasonably necessary for the following reasons:

23 Sec. 3. Section 562A.12, subsection 4, Code 2021, is amended
24 to read as follows:

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

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

1 commenced under chapter 562A on or after July 1, 2021.

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EXPLANATION

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

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5 This bill amends Iowa's "Uniform Residential Landlord and
6 Tenant Act" to require a landlord to use inventory checklists
7 both at the commencement and termination of tenancy for
8 each dwelling unit. At the commencement of the tenancy,
9 the landlord shall furnish the tenant two blank copies of a
10 commencement inventory checklist. The checklist must include
11 all items in the dwelling unit or on the premises owned by the
12 landlord including but not limited to carpeting, draperies,
13 appliances, windows, furniture, walls, closets, shelves, paint,
14 doors, plumbing fixtures, and electrical fixtures. The tenant
15 then reviews the checklist, evaluates the condition of each
16 item, records a description of each item's condition on both
17 copies of the checklist, returns one copy of the checklist to
18 the landlord within seven days after receiving possession of
19 the dwelling unit, and retains the second copy of the inventory
20 checklist.

21 Under the bill, inventory checklists must be retained by
22 the landlord for a period of three years and a tenant shall,
23 upon request, be provided a copy of the inventory checklist
24 for the dwelling unit's immediately preceding tenant. At
25 the termination of the tenancy, the landlord is required to
26 complete a termination inventory checklist by evaluating the
27 condition of each item, recording a description of each item's
28 condition on both copies of the checklist, and delivering
29 one copy of the checklist to the tenant if a portion of the
30 tenant's rental deposit was withheld.

31 The bill applies to tenancies commenced under Code chapter
32 562A on or after July 1, 2021.