

**House File 843 - Introduced**

HOUSE FILE 843  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 253)

**A BILL FOR**

1 An Act relating to landlords and tenants, including service  
2 animal requirements, rent late fees, forcible entry and  
3 detainer property disposal, and peaceable possession, and  
4 including applicability provisions.

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

1 Section 1. Section 216.8C, Code 2021, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 7. A request for accommodation made by  
4 a person under this section must be reasonable under the  
5 circumstances. A landlord may make other accommodations to the  
6 person making the request including but not limited to offering  
7 to relocate the person to another housing unit managed by the  
8 landlord.

9 Sec. 2. Section 562A.9, subsection 4, Code 2021, is amended  
10 to read as follows:

11 4. For rental agreements in which the rent does not exceed  
12 seven hundred dollars per month, a rental agreement shall not  
13 provide for a late fee that exceeds twelve dollars per day or a  
14 total amount of sixty dollars per month. For rental agreements  
15 in which the rent is greater than seven hundred dollars per  
16 month but less than one thousand four hundred dollars per  
17 month, a rental agreement shall not provide for a late fee  
18 that exceeds twenty dollars per day or a total amount of one  
19 hundred dollars per month. For rental agreements in which the  
20 rent is at least one thousand four hundred dollars per month, a  
21 rental agreement shall not provide for a late fee that exceeds  
22 two percent of the rent per day or ten percent of the rent per  
23 month.

24 Sec. 3. Section 562A.11, subsection 2, Code 2021, is amended  
25 to read as follows:

26 2. A provision prohibited by subsection 1 included in a  
27 rental agreement is unenforceable. If a landlord willfully  
28 ~~uses enforces provisions in~~ a rental agreement ~~containing~~  
29 ~~provisions~~ known by the landlord to be prohibited, a tenant may  
30 recover actual damages sustained by the tenant and not more  
31 than three months' periodic rent and reasonable attorney fees.

32 Sec. 4. Section 648.18, Code 2021, is amended to read as  
33 follows:

34 **648.18 Possession — bar.**

35 Thirty days' peaceable possession with the knowledge of the

1 plaintiff after the cause of action accrues is a bar to this  
2 proceeding. However, this section does not apply to a landlord  
3 that notifies a tenant in a writing of a breach of a financial  
4 obligation under a rental agreement entered into under chapter  
5 562A and the landlord's intent to enforce such provision.

6 Sec. 5. Section 648.22, Code 2021, is amended to read as  
7 follows:

8 **648.22 Judgment — execution — costs — disposal of personal**  
9 **property.**

10 1. If the defendant is found guilty, judgment shall be  
11 entered that the defendant be removed from the premises, and  
12 that the plaintiff be put in possession of the premises, and  
13 an execution for the defendant's removal within three days  
14 from the judgment shall issue accordingly, to which shall be  
15 added a clause commanding the officer to collect the costs as  
16 in ordinary cases.

17 2. Any personal property of the defendant remaining on the  
18 plaintiff's real property after the defendant's removal under  
19 this section may be disposed of by the plaintiff.

20 Sec. 6. APPLICABILITY. The following applies to rental  
21 agreements whose lease terms begin on or after January 1, 2022:  
22 The section of this Act amending section 562A.9.

23 EXPLANATION

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

26 This bill relates to landlord-tenant law. The bill provides  
27 that the request of a person for an accommodation of a service  
28 animal must be reasonable under the circumstances and that the  
29 landlord can accommodate the person by relocating the person to  
30 another housing unit managed by the landlord.

31 The bill provides that for rental agreements where rent is  
32 more than \$700 but less than \$1,400 per month, late fees shall  
33 not exceed \$20 per month. Late fees for rental agreements  
34 where rent is at least \$1,400 or more per month shall not  
35 exceed 2 percent of the rent per day or 10 percent of the

1 rent per month. This provision of the bill applies to rental  
2 agreements whose lease terms begin on or after January 1, 2022.

3 The bill provides that if a landlord willfully enforces  
4 provisions prohibited by Code section 562A.11(1) in a rental  
5 agreement, the tenant may recover actual damages. Under  
6 current law, a tenant may recover actual damages if the  
7 landlord willfully uses prohibited provisions.

8 The bill provides that any personal property left on the  
9 landlord's property after the defendant's removal from a  
10 forcible entry and detainer disposition may be disposed of by  
11 the landlord.

12 The bill provides that a bar to a proceeding from a tenant's  
13 peaceful possession with landlord notice does not apply to  
14 landlords who have notified a tenant in writing of a breach  
15 of financial obligation under the rental agreement and the  
16 landlord's intent to enforce the obligation.