

**House Study Bill 748 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON WAYS  
AND MEANS BILL BY CHAIRPERSON  
NORDMAN)

**A BILL FOR**

1 An Act relating to residential real estate, including access to  
2 records of unit owners associations and the disclosure of home  
3 inspection information.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 499C.2, subsection 1, Code 2026, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *f.* A certification concerning the payment of  
4 dues, fees, or assessments that states whether the dues, fees,  
5 or assessments are paid in full or delinquent, and identifies any  
6 known future dues, fees, or assessments.

7 Sec. 2. Section 499C.2, subsection 3, Code 2026, is amended  
8 to read as follows:

9 3. A unit owners association, a unit owners association's  
10 designee, or a unit owners association's management company may  
11 charge a reasonable fee for all records and documents provided  
12 under this section. The fee shall not exceed the estimated cost  
13 of production or reproduction of the records or documents. Upon  
14 request, the unit owner or the unit owner's authorized agent  
15 shall be provided reasonable documentation supporting the fee  
16 charged to ensure the fee does not exceed the cost of production  
17 or reproduction of the records or documents.

18 Sec. 3. Section 558A.4A, subsection 5, Code 2026, is amended  
19 to read as follows:

20 5. Except as otherwise required by law, a home inspector  
21 shall not deliver a home inspection report to any person other  
22 than the client of the home inspector without the client's  
23 consent. The seller shall have the right, upon request, to  
24 receive without charge ~~a copy of a home inspection report from~~  
25 the person for whom it was prepared from the buyer or the buyer's  
26 authorized agent those portions of a home inspection report that  
27 relate to the remediation requests made by the buyer or the  
28 buyer's authorized agent. If the buyer or the buyer's authorized  
29 agent fails to provide the applicable portions of the inspection  
30 report to the seller, the seller may cancel the purchase contract  
31 for the inspected property without penalty.

32 EXPLANATION

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

35 This bill relates to access to records of unit owners

1 associations and the disclosure of home inspection information in  
2 residential real estate transactions.

3 Code section 499C.2 (records and documents — access) requires  
4 a unit owners association, the association's designee, or the  
5 association's management company to make certain records and  
6 documents available to a unit owner or the unit owner's  
7 authorized agent upon request. The bill requires a unit owners  
8 association, the association's designee, or the association's  
9 management company to make available certification concerning  
10 the payment of dues, fees, or assessments that states whether  
11 dues, fees, or assessments are paid in full or delinquent, and  
12 identifies any known future dues, fees, or assessments.

13 Under current law, a unit owners association, a unit owners  
14 association's designee, or a unit owners association's management  
15 company may charge a reasonable fee for any required record  
16 produced under Code section 499C.2. The bill requires that, upon  
17 request, a unit owner or the unit owner's authorized agent be  
18 provided reasonable documentation supporting the fee charged to  
19 ensure the fee does not exceed the cost of producing the required  
20 records.

21 Under current law, following the completion of a home  
22 inspection report by a home inspector, the person to whom the  
23 report was prepared must provide a copy without charge of the  
24 home inspection report upon the request of the seller of the  
25 inspected property. The bill strikes this requirement and  
26 instead requires the buyer or the buyer's authorized agent to  
27 provide without charge portions of the home inspection report  
28 that relate to the remediation requests made by the buyer or the  
29 buyer's authorized agent upon the request of the seller of the  
30 inspected property. The bill provides that if the buyer or the  
31 buyer's authorized agent fails to provide the applicable portions  
32 of the inspection report to the seller of the inspected property,  
33 the seller may cancel the purchase contract for the inspected  
34 property without penalty.