

CHAPTER 205
HOUSING DISCRIMINATION
S.F. 56

AN ACT establishing familial status as a protected class in Iowa's discriminatory housing law and providing an exception for housing for elderly persons and certain owner-occupied housing.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 601A.2, Code 1989, is amended by adding the following new subsection: **NEW SUBSECTION. 12.** "Familial status" means one or more individuals under the age of eighteen domiciled with either of the following:

- a. A parent or another person having legal custody of the individual or individuals.
- b. The designee of the parent or the other person having custody of the individual or individuals, with the written permission of the parent or other person.

Sec. 2. Section 601A.8, subsections 1 through 3, Code 1989, are amended to read as follows:

1. To refuse to sell, rent, lease, assign or sublease any real property or housing accommodation or part, portion or interest therein, to any person because of the race, color, creed, sex, religion, national origin, ~~or~~ disability, or familial status of such person.
2. To discriminate against any person because of the person's race, color, creed, sex, religion, national origin, ~~or~~ disability, or familial status, in the terms, conditions or privileges of the sale, rental, lease assignment or sublease of any real property or housing accommodation or any part, portion or interest therein.
3. To directly or indirectly advertise, or in any other manner indicate or publicize that the purchase, rental, lease, assignment, or sublease of any real property or housing accommodation or any part, portion or interest therein, by persons of any particular race, color, creed, sex, religion, national origin, ~~or~~ disability, or familial status is unwelcome, objectionable, not acceptable or not solicited.

Sec. 3. Section 601A.12, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Housing accommodations provided under any state or federal program specifically designed and operated to assist elderly persons, as defined in the state or federal program, and housing for older persons. As used in this subsection, "housing for older persons" means housing communities consisting of accommodations intended for either of the following:

- a. For ninety percent occupancy by at least one person fifty-five years of age or older per unit, and providing significant facilities and services specifically designed to meet the physical or social needs of such persons.
- b. For and occupied solely by persons sixty-two years of age or older.

Sec. 4. Section 601A.12, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The rental or leasing of a housing accommodation in a building which contains housing accommodations for not more than four families living independently of each other, if the owner resides in one of the housing accommodations for which the owner qualifies for the homestead tax credit under section 425.1.

Approved May 22, 1989