

FILED MAR 7 '01

SENATE FILE 383  
BY FIEGEN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to forcible entry and detainer actions and  
2 improvements made by a mobile home tenant to a mobile home  
3 space.

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

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SF 383  
COMMERCE

1 Section 1. Section 562B.25, subsection 3, Code 2001, is  
2 amended to read as follows:

3 3. Except as otherwise provided in this chapter, the  
4 landlord may recover damages, obtain injunctive relief or  
5 recover possession of the mobile home space pursuant to an  
6 action in forcible detainer for any material noncompliance by  
7 the tenant with the rental agreement or with section 562B.18.  
8 In an action in forcible detainer in which the mobile home  
9 tenant has made improvements other than a natural lawn  
10 pursuant to section 562B.10, the court shall order the parties  
11 to participate in mediation, pursuant to section 648.22C.

12 Sec. 2. NEW SECTION. 648.22C FORCIBLE ENTRY AND DETAINER  
13 ACTIONS INVOLVING IMPROVEMENTS TO MOBILE HOMES AND  
14 MANUFACTURED HOMES.

15 1. Upon the filing of a petition in an action in forcible  
16 detainer in which the mobile home tenant has made improvements  
17 to the tenant's mobile home space pursuant to section 562B.10,  
18 the court shall order the parties to participate in mediation.  
19 The court shall set a hearing, to be held not later than sixty  
20 days from the date of the filing of the petition, to review  
21 the progress of the mediation and enter any appropriate  
22 orders. If the parties fail to reach a mediation agreement  
23 and judgment is entered against the mobile home tenant,  
24 execution of an order for removal cannot occur sooner than  
25 sixty days after the conclusion of the mediation. Mediation  
26 performed under this section shall comply with the provisions  
27 of chapter 679C.

28 2. If the mobile home tenant is ordered removed for any  
29 reason except nonpayment of rent, the landlord shall reimburse  
30 the tenant for any damages to the improvements made to the  
31 mobile home space, pursuant to section 562B.10, caused by the  
32 removal.

33 EXPLANATION

34 This bill relates to forcible entry and detainer actions  
35 where a mobile home tenant has made an improvement, except to

1 a natural lawn, on a mobile home space. The bill provides  
2 that in such cases, the court shall order the parties to  
3 participate in mediation, which shall be held not later than  
4 60 days from the date of the filing of the petition. The bill  
5 further provides that if the parties fail to reach a mediation  
6 agreement and judgment is entered against the mobile home  
7 tenant, execution of an order for removal cannot occur sooner  
8 than 60 days after the conclusion of the mediation. The bill  
9 also provides that mediation under this section shall be  
10 conducted pursuant to Code chapter 679C.

11 The bill further provides that if a mobile home tenant is  
12 removed for any reason except nonpayment of rent, the landlord  
13 shall reimburse the tenant for any damages made to the  
14 tenant's improvements caused by the removal.

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