

MAR 3 2005

COMMERCE, REGULATION & LABOR

HOUSE FILE 554
BY MASCHER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the termination of rental agreements including
2 retaliation against a tenant for receiving police or emergency
3 services and requiring good cause to terminate the rental of a
4 mobile home space.

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

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HF 554

1 Section 1. Section 562A.36, subsection 1, Code 2005, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. The tenant has received police or
4 emergency assistance in response to a family violence or
5 domestic abuse situation.

6 Sec. 2. Section 562B.10, subsection 4, Code 2005, is
7 amended to read as follows:

8 4. Rental agreements shall be for a term of one year
9 unless otherwise specified in the rental agreement. Rental
10 agreements shall be canceled by at least sixty days' written
11 notice given by either party. A notice to cancel under this
12 section initiated by the landlord shall be initiated only for
13 good cause. For purposes of this subsection, "good cause"
14 means a material noncompliance by the tenant with the rental
15 agreement, a violation of this chapter, or a legitimate
16 business reason. A landlord shall not cancel a rental
17 agreement solely for the purpose of making the tenant's mobile
18 home space available for another mobile home.

19 Sec. 3. Section 562B.32, subsection 1, Code 2005, is
20 amended by adding the following new paragraph:

21 NEW PARAGRAPH. cc. The tenant has received police or
22 emergency assistance in response to a family violence or
23 domestic abuse situation.

24 EXPLANATION

25 This bill relates to the termination of rental agreements
26 between landlords and tenants. The bill prohibits a landlord
27 from retaliating against a tenant of a dwelling unit or a
28 mobile home space by terminating a rental agreement, raising
29 rent, or decreasing services after the tenant has received
30 police or emergency services in response to a family violence
31 or domestic abuse situation. A tenant subjected to
32 retaliation by a landlord may file a civil action to recover
33 actual damages, reasonable attorney fees, and possession of
34 the dwelling unit under Code chapter 562A or 562B.

35 The bill also provides that a landlord must have good cause

1 before terminating a mobile home space rental agreement.
2 "Good cause" is defined to mean a material noncompliance by
3 the tenant with the rental agreement, a violation of Code
4 chapter 562A or 562B, as applicable, or a legitimate business
5 reason.

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