

FEB 1 0 2006

COMMERCE, REGULATION & LABOR

HOUSE FILE 2349  
BY FORD

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

**A BILL FOR**

1 An Act relating to landlords and tenants by prohibiting a  
2 landlord from retaliating against a tenant for summoning or  
3 receiving police or emergency assistance in response to a  
4 family violence or domestic abuse situation and requiring a  
5 landlord to have good cause to terminate a mobile home space  
6 rental agreement.

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

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HF 2349

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 summoned or received  
4 police or emergency assistance in response to a family  
5 violence or 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 for good cause.  
13 Good cause shall constitute a material noncompliance by the  
14 tenant with the rental agreement, a violation of this chapter,  
15 or a legitimate business reason. A landlord shall not cancel  
16 a rental agreement solely for the purpose of making the  
17 tenant's mobile home space available for another mobile home.

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

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

23 EXPLANATION

24 This bill relates to landlords and tenants.

25 The bill provides that a landlord under Code chapter 562A  
26 (uniform residential landlord-tenant law) or Code chapter 562B  
27 (mobile home parks residential landlord-tenant law) may not  
28 retaliate against a tenant by increasing rent, decreasing  
29 services, or by bringing or threatening to bring an action for  
30 possession after the tenant has summoned or received police or  
31 emergency assistance in response to a family violence or  
32 domestic abuse situation. If a landlord acts in violation of  
33 this bill, a tenant's remedies may include the recovery of  
34 actual damages, reasonable attorney fees, and possession of  
35 the dwelling under Code chapter 562A or 562B.

1 The bill also provides that a landlord must have good cause  
2 before terminating a mobile home space rental agreement.  
3 "Good cause" is defined to mean a material noncompliance by  
4 the tenant with the rental agreement, a violation of Code  
5 chapter 562B, or a legitimate business reason.

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