

Notices That Go To All Residents, such as rent increases and rule/regulation changes or additions

You only have to use one of the following methods:

- (1) hand delivery to resident
- (2) delivery evidenced by an acknowledgement that is signed and dated by a resident of the dwelling unit who is at least 18 years old. The notice to this one resident is deemed to have served all tenants within the dwelling.
- (3) Personal service according to the rule of civil procedure 1.305, a Supreme Court rule.
- (4) Mailing by both regular and certified mail to the address of the dwelling unit or to an address provided by the resident
- (5) Posting on the primary entrance door of the dwelling unit. The notice shall be dated and must be posted within the applicable time period.
- (6) Any method of providing notice that results in the notice actually being received by the tenant.

More Serious Notices....Those that could result in loss of residency....such as 3 days' notice to cure rent ...7 days notice, with 7 days to cure....clear/present danger....30 days notice of non-renewal of lease....and also the 3 days' Notice To Quit

You only have to use one of the following methods:

- (1) delivery evidenced by an acknowledgement of delivery that is signed and dated by a resident of the dwelling unit who is at least 18 years old. Delivery is deemed served to all tenants of the dwelling unit.
- (2) Personal service according to the rule of civil procedure 1.305, a Supreme Court rule.
- (3) Posting on the primary entrance door of the dwelling unit and mailing by both regular and certified mail to the address of the dwelling unit or to the resident's last known address, if different from the address of the dwelling unit. A posted notice must be made within the applicable time period for serving notice and shall include the date the notice was posted. . **(If you use either item 1 or 3, you would be advised to bring an affidavit to court, signed by a notary public, showing which method of service you used. The magistrate may want some guarantee that you performed the notice.)**

Forcible Entry or Detainer (FED) or Eviction Notices

You must use either the sheriff or a private service company except for delivery acknowledged by a resident at least 18 years of age. (item 1 listed below)

- (1) delivery evidenced by an acknowledgement of delivery that is signed and dated by a resident of the dwelling unit who is at least 18 years old. Delivery is deemed served to all tenants of the dwelling unit. Notice must be completed 3 days prior to the hearing

date. (This option can be performed by the landlord. However, it does have dangers, such as the person denying having signed it. The defendant could skip the court date, lose by default, but then file an appeal stating that the landlord forged the signature.)

(2) Personal service according to the rule of civil procedure 1.305, a Supreme Court rule. Notice must be completed 3 days prior to the hearing date.

(3) If, after two attempts at personal service, using either option 1 or 2, then posting of the court date notice can be made on the primary door of the premises and the notice must be mailed by both regular and certified mail. The posting and mailing must be completed no less than 3 days prior to the court date, which can be no sooner than 8 days from the filing of the FED.

Using Mail Notices

Since the War Eagle decision was totally about the use of certified mail, SF 2300 is cautious about keeping mail options constitutional. If you use mail, SF 2300 has an automatic 4 days as the delivery assumption. If you use mail, SF 2300 adds 5 days to the count. The bill has 4, and the counting of time procedures in the code of Iowa (4.1[34]) adds another day. For example, if it's non-payment of rent, notice to cure, situation, it's 8 days to pay the rent, instead of 4 days in the old law.