

7 DAY NOTICE GUIDELINES

LANDLORDS OF IOWA, INC.

INFORMATION FOR LANDLORD OR MANAGER

DO NOT ATTACH THIS TO THE 7 DAY NOTICE

If you have previously ignored lease violations of which you were aware and wait 30 days or more to attempt to evict a tenant for those violations, you may find that you cannot do so.

The length of your **7 Day Notice** will depend upon how many violations you are citing. There may be one or any number. The form illustrates only two --- this is just an example of how to structure the notice:

The Notice includes three parts:

1. [WHAT IS SOURCE OF VIOLATION] Quote from the lease/rules, city code, etc.
2. [WHAT IS TENANT'S VIOLATION] Specify how the tenant has violated the lease/rules, code, etc.
3. [WHAT MUST BE DONE] Specify what the tenant must do to "cure" the violations.

TYPES OF VIOLATIONS [depending upon your rules and rental agreement, city codes, etc.]: Unauthorized occupants and/or excessive number of people; pets; waterbeds OR waterbeds without proof of insurance; damages which are ignored and not promptly repaired; nonpayment of damage charges to Landlord; nonpayment of utilities when due; utilities being shut off for nonpayment; excessive noises thus disturbing the "peaceful enjoyment" of other Tenants or of the neighbors; unauthorized and/or illegal business activities; dirty floors, carpet, bath, kitchen, etc.; unmowed yards; unshoveled walks; inoperative vehicles on premises; violations of city ordinances such as "weed code", "junk cars", etc; sublet; children under 12 left alone or unattended; or other serious violations of Rental Agreement and/or Landlord's rules, etc.

If a lease is terminated at the end of 7 days and the Tenant has not moved, you then must serve the **3 DAY NOTICE TO QUIT**. [If you have trouble serving the tenant, you may send

the notice by certified mail whether or not tenant signs for it. 562A.29A(2)] On the 5th day after such service if the Tenant has not yet moved, you then may file the eviction papers [FE&D] at the Clerk of Court's office in the Court House.

Now after you've filed for the FE&D. The FE&D papers for the court-hearing date must be served. Generally you'll have the sheriff's office complete this service. If two attempts are made by the sheriff for service [may be on same day] and tenant cannot be served, you may then post the Original Notice for the FE&D, mail a copy by certified mail so that tenant is notified 3 days prior to hearing of court date. [July 1, 1996] Use the Posting Affidavit, which is provided for you in your packet.

If tenant "cures" this problem but the same violation occurs within six months, you may issue a 7 Day Notice of the violation also stating the same violation has occurred within six months and that the lease terminates in 7 days with no provision for "curing".

Then follow the rest of the Eviction process if the Tenant does not vacate after the 7th day.

DISCLAIMER:

This is a general guide and is not intended to completely explain the subject. You should see a lawyer to get complete, correct, and up-to-date legal advice. Do not rely on the general information we are providing for your specific case. What we are providing is NOT a substitute for legal advice.

Rev. June 12, 2001 Barb Blow

The **7 Day Notice** took effect July 1, 1995 - changes in service were July 1, 1996