



# Landlords' Legend

FOURTH QUARTER 2010

QUARTERLY  
NEWSLETTER

## President's Column

by Keith Smith

Congratulations to the Dubuque Area Landlord Association for hosting a well-planned and successful state convention! They did a fabulous job of arranging speakers, vendors, and events. Now it's up to each of us to follow up on the information provided.

Did you "file" your convention materials when you got home? Chances are they are still on the desk or on a shelf. Take a few minutes to review your conference hand outs. If you have notes or hand outs from the speakers, review them and highlight information you want to apply in your rental business. Set a goal and action steps.

After hearing from the attorney and magistrate did you think, "I should review my rental

agreement and rental files?" Now is the time to do so. Break the task into smaller chunks and set appointments on your calendar. Remember, your time is valuable and these are important activities. Take an hour to review your rental agreement and addendums. Do they do what you want them to do? Make revisions if needed. On another day, take an hour to list out each form that should be in a "complete" rental file. Once your checklist is complete schedule a weekly time to review files—it may be three files a week, it may be 10, or it may be a task you assign to staff.

Now, what about that great vendor information? Did you pick up a few business cards and brochures? Are

there websites you wanted to visit? Those business cards won't be any help if you can't find them when you are ready to have a hardwood floor refinished, or new gutters installed, or need a new cleaning service. Add the cards to your file. If you don't have a file, start one.

How about the contacts you made with other landlords? Networking is an important part of the convention. Remember that conversation you had over lunch with a landlord from Clinton, or Waterloo, or Fort Dodge? Send that landlord a quick e-mail or give them a call. Ask how things are going. Tell them how successful you were incorporating their idea into your business. Build relationships that will sustain

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### SCHEDULE OF 2011 BOARD MEETINGS:

- January 14—Cedar Rapids
- April 15—Marshalltown
- July 15—Waterloo

you on those down days when a colleague could be a great resource or support.

Thank you again to the Dubuque Area Landlord Association for their hard work. Next year's state convention will be hosted by the Landlords of Linn County. I'm sure we'll be calling on "our neighbors to the north" for planning tips. ❖



**Please Note: This is the last Landlords' Legend that will be sent via regular mail through the US Postal Service. All future issues will be sent via email — we are going green! It was decided that in the future it will be the responsibility of local chapters to mail a hard copy to the members who do not have email. With the printing & postage savings, you can look forward to more local "landlord universities".**

## Unapproved Minutes—Landlords of Iowa Board of Directors Meeting October 15, 2010, Best Western Midway, Dubuque, IA

**ATTENDEES:** Dick Sack, Bert Ehlers, Stephanie Feuss, Daryl Kruse, Max Patterson, B.O. Bryngelson, Bob Smith, Kathi Skovronski, Diana Wilson, Jerry Merrick, Gary Olmstead, Keith Smith.

**CALL TO ORDER:** Vice-President Dick Sack called the meeting to order at 5:15 p.m.

**BOARD OF DIRECTORS:** Vice-President Dick Sack asked that each board member introduce themselves and discuss the top three issues that needed to be addressed with their current chapters. Issues discussed by the board included lead-based paint training, crime-free ordinances, housing ordinances, membership.

**SECRETARY'S REPORT:** Kim Frederickson

The secretary was unable to attend the meeting so motion was made by Bob Smith to accept the minutes as written in the Landlords Legend, with a second by Diana Wilson. Motion passed unanimously.

**TREASURER'S REPORT:** Stephanie Feuss

The treasurer provided a written report to each board member. A question were raised about our website and our income this year compared to two years ago, all answered by the treasurer, so Bob Smith moved that we accept the treasurer's report with a second by Max Patterson. Motion passed unanimously.

**EDUCATION COMMITTEE:** Aleks Thomas

No report from Chairman, but it was reported that there were requests for Landlord University in the western part of the State.

**MEMBERSHIP:** Max Patterson

None

**LEGISLATIVE REPORT:** Daryl Kruse

No new news, but there was discussion to bring top issues to State level, top issues presented by board were, Home Rule, Unrelated People Issue, and Civil Rights Code. Also as an issue was a discussion of Co-op's in Des Moines and Condo's for tax purposes.

Daryl Kruse will send an email to Landlord of Iowa chapters with the issues mentioned above for discussion. Daryl would like discussion among chapter members and also request that chapters send back to Daryl top issues that they would like to bring to State Legislature. The deadline is December 1, the information will be forwarded to Joe Kelly.

**CONVENTION REPORT:** Jerry Merrick

Jerry Merrick reported that with help from volunteers convention is ready to go.

Jerry will also have a report for the January board meeting.

**MEMBERSHIP:** Max Patterson

No report

**LEGAL STATUS:** Walter Skovronski

Walter was unable to attend the meeting, but Stephanie Feuss reported that paperwork was submitted directly to IRS in September and there should be an answer by January.

**NEWSLETTER:** Diana Wilson

The deadline to turn in material to be put in the next newsletter is November 1.

In regards to cost, there was also discussion about the continued printing and sending out newsletters.

A motion was made by Daryl Kruse that Landlord Legend newsletter is emailed to each chapter, chapter then is responsible to distribute to their membership. Seconded by Stephanie Feuss. Amendment was then made by Bob Smith, to publish one more newsletter and advise this will be the last printed copy. Motion to accept was made by Jerry Merrick and second by B.O. Bryngelson. Motion passed unanimously.

**OLD BUSINESS:** None

**NEW BUSINESS:**

Jerry Merrick, discussion of payment of mileage to present Landlord University. Stephanie Feuss will add to budget for discussion in January.

Candidate officers for Landlords of Iowa 2011:

Vice-President Dick Sack presented the names for officers for 2011:

President – Keith Smith

Vice-President – Walter Skovronski

Treasure – Stephanie Feuss

Secretary – Kim Frederickson

Newsletter – Diana Wilson

B.O. Bryngelson made motion to accept the nominations as presented and Jerry Merrick seconded. Officers were accepted unanimously.

**ADJOURN:** Vice-President Dick Sack asked for a motion to adjourn. So moved by Diana Wilson with a second by Max Patterson at 7:30 p.m. Motion Carried.

Meeting minutes submitted by Kathi Skovronski in absence of Kim Frederickson. ❖



# To Smoke or Not To Smoke

by Stephanie Feuss, President Landlords of Linn County

Recently, I was asked a question regarding tenant's rights to smoke/not to smoke in the unit and/or on the property and in the common areas. The information obtained for the article below is from the US Department of Housing & Urban Development (HUD) and the Cedar Rapids Civil Rights Office (CRCRC).

According to HUD, any landlord may designate the apartment building, floor, wing, etc as non-smoking. It is up to the landlord if the occupants who already are in possession of units in that area to be "grandfathered" in to a smoking policy. Common areas and grounds may be prohibited here in the near future with the upcoming law changes for smoking in public places. This would not be a restriction placed by the landlord but rather the state of Iowa.

From a Fair Housing standpoint, smokers are not a

protected class. In order for a tenant to file a fair housing complaint, the tenant would have to prove that not smoking in their unit imposed a "desperate impact" (specific exception) on a specific group by having such an exclusion. Also, the landlord will have to be careful to not steer a specific group to a specific building based on race when it is truly based on smoking.

On the application, landlords can NOT ask "do you smoke". **A landlord may declare on their application or other information sheet, as a statement, that the building is non-smoking but not in question form on an application.** This information is in a recent report distributed from the Department of Housing and Urban Development (HUD). H-2010-21 (Sept. 21, 2010).

Good luck with your decision. I am always here to answer questions. ❖



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## Landlords of Iowa Board of Directors 2010

### **B.O. Bryngelson**

Marshalltown Rental Property Association  
641/752-3646, bo\_bryn@willinet.net

### **Burt Ehlers**

Clinton Landlords Association, Inc.  
563/242-5080

### **Jim Ervin**, Newsletter Co-Editor

North Iowa Landlords Association  
641/424-6589, ervin@jumpgate.net

### **Stephanie Feuss**, LLIA Treasurer, Budget Committee -- Chair,

Landlords of Linn County  
319/329-5378, feuss99@hotmail.com

### **Kim Frederickson**, LLIA Secretary

Landlords of Linn County  
319/366-0434, gatewaykim@mcleodusa.net

### **Glenda or Michael Hanback**

Central Iowa Rental Property Association  
515/279-2847, glendahanback@msn.com

### **Keith or Inez Hill**

Wapello County Area Chapter  
641/684-7842, keithhill2@juno.com

### **Tony Jacobsen**, LLIA Immediate Past President

Fort Dodge Area Landlord Association  
515/573-4961, westridge1@frontiernet.net

### **David Kacena**

Greater Iowa City Area Apartment Association  
319/354-0386, David@k-rem.com

### **Daryl Kruse**, Legislative Committee -- Chair

Landlords of Black Hawk, Inc.  
319/240-0880, dreemon@aol.com

### **Jerry Merrick**, Convention Committee -- Chair

Dubuque Area Landlords Association  
563/556-7418, phubai1971@aol.com

### **Gary Olmstead**

Landlords of Black Hawk, Inc.  
319/266-8649, gandnolm@cfu.net

### **Rachel Page**

Landlords of Black Hawk, Inc.  
319/464-2848, pagefamily@butler-bremer.com

### **Max Patterson**, Membership Committee -- Chair, Audit Committee

Marshalltown Rental Property Association  
641/752-1887, m.patterson@mchsi.com

### **Maynard Porter**

Siouxland Rental Association  
712/258-8182, maynardporter@hotmail.com

### **Richard Sack**, LLIA Vice President, Audit Committee—

Chair, Forms Review Committee—Chair  
Clinton Landlords Association, Inc.  
563/243-2617, cosuda@mchsi.com

### **Al Seim**

Wapello County Area Chapter  
641/682-7878, arseim@lisco.com

### **Walter & Kathi Skovronski**, Legal Status Committee -- Chair

Landlords of Davenport, Inc.  
563/326-5693, kaski58@msn.com

### **Keith Smith**, LLIA President

Landlords of Linn County  
319/721-4191, smithke@mchsi.com

### **Robert Smith**, Website

Clinton Landlords Association, Inc.  
563/212-2211, rjsmith@gmail.com

### **Roger Wahl**

Pottawattamie County Landlord Association  
712/322-8153, wahlapts@aol.com

### **William Wege**

Pottawattamie County Landlord Association  
712/322-5486, wrwege@msn.com

### **Diana Wilson**, Newsletter Co-Editor

Muscatine Landlord Association, Inc.  
563/264-2077 or 563/299-2007, dkwilson@machlink.com

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## Local Chapters (Listed alphabetically—numbered by order of joining)

### #1 LANDLORDS OF BLACK HAWK, INC.

[www.blackhawklandlords.org](http://www.blackhawklandlords.org)

Chapter Address: PO Box 742, Waterloo, IA 50704

Meetings: Monthly, 3rd Thursday 6:00 - 8:30 p.m.

Dinner, Program, Business Meeting

Elks, 409 E. Park Ave., Waterloo, IA 50703

Board meets 1st Thursday of the month for lunch, 12 noon, Elks

2010 President: Wally Parrish

### #16 CENTRAL IOWA RENTAL PROPERTY ASSOC.

Meetings: Monthly, 3rd Thursday 7:00 - 9:00 p.m.

Iowa Realty Office, 3521 Beaver Ave.

Des Moines, IA 50310

2010 President: Anne Bickell

### #7 CLINTON LANDLORDS' ASSOCIATION, INC.

[www.clintonlandlords.com](http://www.clintonlandlords.com)

Chapter Address: PO Box 155, Clinton, IA 52732-0155

Meetings: Monthly, 4th Thursday 5:30 - 9:00 p.m.

Social Hour, Dinner 6:00 p.m., Business Meeting: 6:30 p.m., Program, Frontier Restaurant, 2300 Lincoln Way, Clinton, IA 52732

Board meets as required

2010 President: Richard Sack

### #21 LANDLORDS OF DAVENPORT, INC.

Chapter Address: 2350 Farnam St., Davenport, IA 52803

Meetings: Monthly, 4th Tuesday 6:30 - 8:00 p.m.

Business Meeting, Program, Davenport Moose Club, 2333 Rockingham Rd., Davenport, IA 52802

2010 President: Walter Skovronski

### #14 DUBUQUE AREA LANDLORDS ASSOCIATION

Meetings: 2nd Tuesday, 7:00 p.m. in September, November, January, March & May

Dubuque Area Lifetime Center, 3505 Stoneman Road, Dubuque, IA 52002

Board meets 1st Tues. at noon - same months as meetings.

2010 President: Jerry Maro

### #10 FORT DODGE AREA LANDLORD ASSOC.

[www.fdala.com](http://www.fdala.com)

Meetings: Monthly, 3rd Wednesday, 7:30 - 9:00 p.m.

Chamber of Commerce Office, 1406 Central Ave., Fort Dodge, IA 50501

2010 President: Dave Essing

### #20 GREATER IOWA CITY AREA APARTMENT ASSOCIATION

[www.gicaa.org](http://www.gicaa.org)

Chapter Address: PO Box 1765, Iowa City, IA 52244

Meetings: Monthly, 4th Tuesday, 9 months

No meetings - July, Aug., Dec.

11:30 a.m. to 1:00 p.m. Lunch, Business, Speaker

Iowa City Board of Realtors, 438 Hwy 1 West, Iowa City, IA 52246

Board Meets 2nd Tuesday every month

2010 President: David Kacena

### #2 LANDLORDS OF LINN COUNTY

[www.landlordsoflinncounty.com](http://www.landlordsoflinncounty.com)

Chapter Address: PO Box 338, 3315 Williams Blvd SW Suite 2, Cedar Rapids, IA 52404

Meetings: Monthly, 2nd Thursday, 6:00 Social Hour, 7:00 Program/Meeting, Longbranch Hotel, 90 Twixtown Rd NE, Cedar Rapids, IA 52402

2010 President: Stephanie Feuss

### #9 MARION COUNTY LANDLORDS' ASSOCIATION

Meetings: Every other month, 3rd Tuesday

Mr. C's Steakhouse, Highway 14 N, Knoxville, IA 50138

6:30 p.m. Dinner, 7:00 p.m. Program

2010 President: Jayme McLaren

### #12 MARSHALLTOWN RENTAL PROPERTY ASSOC.

Chapter Address: PO Box 36, Marshalltown, IA 50158

Meetings: Monthly, 2nd Thursday, noon luncheon

Memories Banquet & Reception Hall

1010 W. Lincoln Way, Marshalltown, IA 50158

2010 President: B.O. Bryngelson

### #11 MUSCATINE LANDLORD ASSOCIATION

[www.muscatinelandlords.org](http://www.muscatinelandlords.org)

Chapter Address: 1103 Halstead St, Muscatine, IA 52761

Meetings: Monthly, 3rd Monday except July, Aug, Dec—7:00 p.m.

Trinity Church, 211 Walnut St., Muscatine, IA 52761

Board Meets 6 p.m. prior to meeting

2010 President: Diana Wilson

### #17 NORTH IOWA LANDLORDS ASSOCIATION

Chapter Address: PO Box 354, Mason City, IA 50402

Meetings: 9 months of the year, 4th Thursday 7- 8:30 p.m.

Grant Village, Community Center, 823 6th St. SW, Mason City, IA 50401

Board meets 6:30 p.m. before regular meeting

2010 President: Jim Ervin

### #8 POTTAWATTAMIE COUNTY LANDLORD ASSOC.

[www.pottcolandlords.org](http://www.pottcolandlords.org)

Chapter Address: 3114 - 9th Ave

Council Bluffs, IA 51501-5737

Meetings: Monthly, 2nd Thursday 7:00 - 8:30 p.m.

Business, Program

Jon Malloy Center, S 7th St. & 9th Ave., Council Bluffs, IA 51501

2010 President: Don Angeroth

### #6 SIOUXLAND RENTAL ASSOCIATION

[www.sioxlandhomerentals.com/](http://www.sioxlandhomerentals.com/)

Chapter Address: PO Box 5204, Sioux City, IA 51102

Meetings: Jan, Apr, July, Oct

6:00 p.m. Dinner

7:00 p.m. Program, Business Meeting

Horizon Restaurant, 1222 Tri View, Sioux City, IA 51103

2010 President: Maynard Porter

### #5 WAPELLO COUNTY AREA CHAPTER

Chapter Address: 13934 - 65th St., Ottumwa, IA 52501

Meetings: Monthly, 2nd Monday 6:30 p.m. Dinner, 7:00 p.m.

Meeting

Sirloin Stockade, 2645 Northgate Dr., Ottumwa, IA 52501

2010 Presidents: Keith & Inez Hill

# To Co-op or Not to Co-op

by Stephanie Feuss, President Landlords of Linn County

To Co-op or Not to Co-op that is the hot topic among multi-family property owners and managers. Apartment buildings larger than 3 units are currently taxed at the higher commercial tax rate. While single family homes receive the state roll back. Thus apartment buildings pay more property taxes.

Even though the property owner writes the tax check to the county treasurer, ultimately, the tenants are the ones paying the property taxes through their rent. In essence, the renters throughout the area are paying the highest amount of property taxes for their income. Typically renters are in a lower income bracket than home owners. Generally renters are single income.

While these renters are paying the higher property taxes, generally, they have less demand on the local services such as fire, schools, streets and other city services than single family homes\*. So why should they pay the higher price?

In certain situations, property owners are being sucked dry by the local property taxes. The local property tax is their highest annual expense behind their mortgage so why shouldn't they be able to "co-op" to save money?

I understand that the city government, county government and local schools will loose money but the playing field between the renters and the home owner's becomes more fair. Until the State of Iowa decides to make a sepa-

rate property tax classification for "rental" units, go on ahead and convert either to a co-op or to residential condos.

Previously, I have completed a condo conversion and it saved the property almost 50% on the tax bills. This additional 50% savings was then used to begin doing maintenance that had been put off because of a lack of funds. I see this trend happening every day. Property owners procrastinate on preventative maintenance due to a lack of money. Whereas the City of Cedar Rapids is forcing the owners clean up and improve properties. Since owners have prolonged this maintenance in the first place, the repairs are even more costly and now have to be done in a time sensitive manner. If property owners had the additional savings then the maintenance wouldn't be put off and would be less expensive.

Once again, if the role was reversed, single family home owners would do everything in their power to keep their expenses low so why can't the property owners and managers of apartments do the same? We probably wouldn't be having this discussion if those roles were reversed. Since the single family homeowners are in the majority this has become a hot topic. Once again – go on ahead and "co-op". ❖

\* information provided by National Multi-Family Housing Council.

## Membership Report as of October 6, 2010

<u>Chapter #</u>	<u>Name</u>	<u>Members</u>	<u>Chapter #</u>	<u>Name</u>	<u>Members</u>
1	Landlords of Black Hawk	109	14	Dubuque Area Landlords Assn.	48
2	Landlords of Linn County	126	16	Central Iowa Rental Property Assn.	19
5	Wapello County Area Chapter	16	17	North Iowa Landlords Assn.	25
6	Siouxland Rental Association	23	20	Greater Iowa City Apt. Assn.	48
7	Clinton Landlords Association, Inc.	58	21	Landlords of Davenport Inc.	32
8	Pottawattamie Co. Landlord Assn.	125	99	At-large Members	2
9	Marion Co. Landlords' Association	0		Other	2
10	Fort Dodge Area Landlords Assn.	90		Vendor/Associate Members	6
11	Muscatine Landlord Association	21			
12	Marshalltown Rental Property Assn.	27			
					TOTAL = 777

# Proposed Changes to the Cedar Rapids' Civil Rights Code

By Laura O'Leary, Cedar Rapids Civil Rights Commissioner

The Cedar Rapids Civil Rights Commission began working with a University of Iowa law professor and a few of his students last year to rewrite our civil rights ordinance, chapter 69 of the Municipal Housing Code.

Chapter 69.19 of this code specifically covers Fair Housing. The other parts of the Civil Rights Ordinance Chapter 69 cover the administration of the city department and the commission, how the complaint process is completed, and also discrimination in employment, public accommodations (such as restaurants, stores, hotels) and credit (lending).

Several changes have been proposed, and have been approved by city's attorney and the Commission. The next step is review and approval by HUD, then back to City Council for their approval. So we are still a few months out before anything proposed becomes law.

So, what are the changes that will affect landlords? Following are the **current** federal, state and local (City of CR) protected classes that EVERY landlord should know and understand:

(These apply to **Housing** only):

Fair Housing **Federally** Protected Classes: (total 7)

**Race, Color, Religion, National Origin, Sex, Family Status, Mental or Physical Handicap**

**Iowa** added: (total 9)

**Creed, Gender Identity**

**Cedar Rapids** has added: (total 11)

**Age, Sexual Orientation**

**Proposed** to be added to **Cedar Rapids**: (would bring the total to 14 protected classes)

## Marital Status, Lawful Source of Income, Gender Identity

Other areas protected besides Housing are Employment, Public Accommodation, Education and Credit (Lending) Those areas all have some or all of the above classes.

How will adding these proposed protected classes affect the way we do business as landlords? "Lawful source of income" could force all landlords participate in the Section 8 (Leased Housing) program, for example. This is currently a voluntary federal program, set up by the federal government and administered by the states and counties. Since source of income has been added in a few other areas across the country, complaints have been filed and have been found in favor of the tenant, setting precedents for the rest of us. No longer would this be a voluntary program.

After review by the regional HUD office, there will be a public forum presented by the Cedar Rapids Civil Rights Commission. This will give everyone a chance to discuss and get a good grasp on the proposed ordinance before it goes to City Council for final approval.

Landlords need to pay close attention to these developing changes, and be ready to actively voice any concerns we may have. We also will need to learn exactly what we will need to do to comply with the new ordinance. Watch for more information in future newsletters. ❖

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**Landlord Day on the Hill**  
**February 16, 2011**



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**515.289-9000 ph (Des Moines)**  
**319.366.1952 ph (Cedar Rapids)**  
**800.798.4000 ph 319.277.2351 fx**

Landlords of Iowa, Inc.  
Diana Wilson, Editor  
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Muscatine IA 52761

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*Landlords of Iowa Landlords' Legend is published quarterly. To submit articles, please forward them to Diana Wilson, PO Box 1065, Muscatine, IA 52761, Phone 563-264-2077 (home) 563-299-2007 (cell), E-mail: [dkwilson@machlink.com](mailto:dkwilson@machlink.com)*

*The deadline for submitting articles is:*

*First Quarter February 1*

*Second Quarter May 1*

*Third Quarter July 15*

