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blackhawklandlords.org

Landlords of Black Hawk, Inc.
Founder & Charter Member of Landlords of Iowa, Inc.
PO Box 742, Waterloo IA 50704
www.blackhawklandlords.org

GENERAL MEETING

Thursday,
Jan 16, 2014

Elk's Club

6:00-Social
6:30-Dinner
7:00 -Program

Dear Landlords,

Happy Holidays! May your celebrations be filled with friends & family from near and far. And a Happy New Year,

LLBH Board of Directors




Seasons Greetings

Dinner Reservations are due by Monday at 5pm, Please RSVP to Mark Pregler at 888-508-6188 or BlackHawkLandlord@gmail.com

Dinner is \$12 at the door, served at 6:30 pm, no charge to attend program, please be there by 7pm for program only.

LANDLORDS OF BLACK HAWK BOARD POSITIONS

POSITION:	NAME:	PH. NUMBER:	EMAIL:
President	Wally Parrish	290-0355	wparrish@wparrishlaw.com
Vice President	Mark Pregler	888-508-6188	mark@budget-services.net
Secretary	Rachel Page	464-2862	pagefamily@butler-bremer.com
Treasurer	Sue Schauls	290-7843	schauls3@mchsi.com
Membership	Sue Schauls	290-7843	schauls3@mchsi.com
Newsletter	Sue Schauls	290-7843	schauls3@mchsi.com
Programs	Tony Miller	234-1407	cvps@outlook.com
Publicity	Chase Keller	231-1160	kellerc@mac.com
Vendors	Mark Pregler	888-508-6188	mark@budget-services.net
Hospitality	Gary Olmstead	231-8844	gandnolm@cfu.net
Legislative	Mark Pregler	888-508-6188	mark@budget-services.net
Legal	Wally Parrish	290-0355	wparrish@wparrishlaw.com
Website	Jane Young	232-7398	jayo2000@mchsi.com
Vendor			
Board Member	Tony Miller	234-1407	cvps@outlook.com

LLBH Board Meetings - 1st Thursday of each month at Noon at the Elk's Club.
All members are welcome to attend.




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Supreme Court Considers Apartment Searches

By [Maggie Clark](#), Staff Writer, Stateline

The U.S. Supreme Court on Wednesday considered whether police should be allowed to search an apartment if one resident says 'no' and leaves the home, but a roommate says 'yes.' The case, which stems from a gang-related robbery in California, could have broad implications for anyone living in an apartment, and potentially create new state guidelines for police officers investigating crimes. The decision could also settle disagreements on searches between state and federal courts in California, Colorado, Wisconsin, New York, Michigan, Oregon and the District of Columbia.

On October 12, 2009, the Los Angeles Police got a tip that Walter Fernandez, a suspected member of a gang known as the Drifters, had assaulted another man and had fled back to his apartment. When officers got to the apartment, they heard screaming and fighting through the front door. The officers knocked and Roxanne Rojas, Fernandez's girlfriend, answered the door, holding a baby and looking bruised and bloodied. Police asked her if anyone else was at home and if they could search the apartment. Fernandez stepped forward and refused the search. Police arrested Fernandez for the gang assault and left Rojas and her son to recover. About an hour later, after Fernandez had been taken away, one of the officers went back to Rojas, told her Fernandez had been arrested and asked one more time if they could search the apartment. Rojas said yes and signed an affidavit.

Police found a sawed-off shotgun, gang-affiliated clothes, ammunition and a knife when they searched the apartment, which they presented as evidence that Fernandez was guilty of the assault. Fernandez argued that the evidence was seized illegally. The trial court and the California Court of Appeal, 2nd District, disagreed with Fernandez and allowed the evidence. The California Supreme Court denied Fernandez's appeal and the U.S. Supreme Court agreed to hear the case. So does the warrantless search run afoul of the Fourth Amendment prohibition against unreasonable search and seizure?

Justice Sonia Sotomayor seemed to agree that the search was illegal. "There was probable cause in this case," Sotomayor said. "Just get a warrant. I don't know why that's difficult for police officers to understand." The justices' questions mainly revolved around whether or not Fernandez's refusal was still valid after he'd been arrested, and whether his rights to refuse a search trumped Rojas' right to invite the police into her home. "Her authority to protect her family should not be held hostage by an absent co-tenant," said Louis Karlin, the attorney for the state of California and the police officers. But Fernandez's attorney Jeffrey Fisher disagreed, arguing that Fernandez's right to refuse a search "has to be valid until it's impossible to enforce," which would likely be until he was convicted of a crime and in prison. Should the state of California win, defense attorneys worry the decision will further erode trust between communities and police.

"When the citizen advises the police of his choice (not to allow a search) and the police, rather than respect that decision, override it and enter his home nonetheless, it sends a clear message that individual choice will be respected only when it suits the government's purposes," wrote attorneys representing the National Association of Criminal Defense Lawyers, in an amicus brief.

"When a citizen's request does not fit the purposes of the government, the police will engineer other means to the same end," the attorneys wrote. This concern was echoed by Justice Elena Kagan, who worried that police could just arrest someone to remove them from the premises and then search a house. Depending on the court's decision, police procedure on searches could change dramatically. "This could create a huge complication for officers because they would have to find out if at any time a co-tenant had refused a search," said Chief David Spotts, chief of the Mechanicsburg Police Department and executive board member of the legal officers section of the International Association of Chiefs of Police.



This case would have particular resonance in college towns, big cities or anywhere else with large concentrations of people living in apartments with multiple tenants. State courts in Colorado, New York and Wisconsin and four federal circuit courts have issued rulings allowing the police to search without a warrant as long as one tenant grants permission, after the refusing roommate left the apartment. The 9th U.S. Circuit Court of Appeals, a Michigan federal court, an Oregon state appellate court and the District of Columbia appellate court have issued opposite rulings. The U.S. Supreme Court will issue a decision in the case next year.

Landlords of Black Hawk Program Calendar

December—No Meeting

HAPPY HOLIDAYS

Happy Hanukkah

Merry Christmas &

HAPPY NEW YEAR!

January 16, 2014—

Annual Meeting & Holiday Celebration



RSVP to Mark at 888-508-6188 or BlackHawkLandlord@gmail.com

January 16, 2014—Annual Meeting & Holiday Celebration

February 20, 2014— Green Iowa—Benefits of Weatherization

March 20, 2014— Platinum Pest Control—Preventive Measures for Pest Control

**April 17, 2014— Waterloo Housing Authority Section 8 –
How to work with Section 8 for the Best Results from your Tenants**

**May 15, 2014— Leah Morrison presents—
New Landlord Tax Rules for Repairs vs Improvements**

June 19, 2014 TBA

July 17, 2014 TBA

August 21, 2014 TBA

September 18, 2014—Candidates Forum

October 16, 2014—Eviction Training

November 20, 2014—Vendor Fair

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Treasurer's Report

		Reported December 4, 2013	Credit	Debit	
11/1/2013 deposit	Due & Program Fees		\$1,309.00		\$10,015.07
11/1/2013 deposit	Interest earned		\$1.18		\$10,016.25
	epay Janette Clowser			\$60.00	\$9,956.25
12/1/2013 deposit	Interest earned		\$1.23		\$9,957.48
12/3/2013	3373 Elk's Club		\$1,040.00		\$8,917.48
12/3/2013	3374 Due to LLIA (130 pd members)		\$2,620.00		\$6,297.48
12/3/2013 deposit	Dues & Program Fees		\$328.00		\$6,625.48
Petty Cash			\$150.00		
Legal Fund	In reserve for legal	\$1,596.48	Credit	Debit	Balance

FOR RENT



blackhawklandlords.org

Jon Barz
Project Manager

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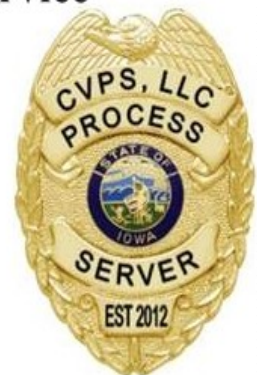
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**Board of Directors
Officer Elections**
will be held at the
Annual Meeting on
January 16, 2014

On the Ballot:

- ⇒ **President—Mark Pregler**
- ⇒ **Vice President—Sue Schauls**
- ⇒ **Secretary—Rachel Page**
- ⇒ **Treasurer—Tony Miller**



Leah Morrison
Accountant

2307 Falls Ave, Suite 1
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Contribute to Iowa Rental Property Owners PAC

A political action committee (PAC) is an organization that campaigns for political candidates or legislation. The mission of the **Iowa Rental Property Owners PAC, or IARPO-PAC** is to educate lawmakers on the important issues confronted by rental property owners. This PAC, in its mission statement, pledges to be a non-partisan PAC. Support will be given to those legislators and candidates who demonstrate an understanding of and support for issues important to our membership. The association follows a strategic plan that concentrates on those lawmakers who are members of the important committees. A key element of those activities is supported by the **IARPO-PAC**. In conjunction with our lobbying and grass-roots efforts, the **IARPO-PAC** raises the visibility of Landlords' views, interests and concerns among influential lawmakers. With increased visibility, LLIA has a greater opportunity to educate lawmakers on issues important to Landlords.

How does a PAC work for you? Landlords of Iowa is just one of many groups vying for the attention of lawmakers and candidates. In recent years, LLIA has made great progress in reaching out to the Iowa Legislature by educating them on the industry and updating antiquated laws such as the late fee structure.

How do politicians use PAC money?

Politicians rely on money contributed by individuals and PACs for campaign funds. PAC contributions are used to pay for campaign staff, commercials, signs, handouts, etc. Campaign money is heavily regulated by the Iowa Ethics Campaign and Disclosure Board.

The importance of a strong PAC

It is important that our **IARPO-PAC** have the resources available to help support our interests. By combining the individual contributions of LLIA members, the association is able to create increased awareness of our concerns and ensure that they get the attention they deserve. By federal law, a PAC is not allowed to accept funding from a trade association. The PAC must raise its funds separately from members. One hundred percent of contributions go directly to candidates' campaign to promote the visibility of our issues. Contributions to the PAC are completely voluntary. **IARPO-PAC** uses member donations to help elect individuals who will understand and support our goals.

Please send your contribution to:

IARPO-PAC, PO Box 354, Mason City, IA 50402-0354.

Landlords Of Iowa's James Ervin is the Treasurer of the PAC. Individual or non-corporate business checks (including LLCs) can be sent.




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Iowa Rental Property Providers: List Your Properties on IowaHousingSearch.org for Free!

Dear Property Provider:

The Iowa Finance Authority (IFA) is pleased to introduce IowaHousingSearch.org, a service that will allow greater access to real-time Iowa rental housing information.

We strongly encourage you to use the new site to advertise properties free of charge beginning today. The site will be launched publicly soon!

To offer Iowa property providers and residents this valuable resource, IFA has contracted with Socialserve.com, the national nonprofit that powers a network of housing locator services in 35 states. Socialserve.com provides a full-service, toll-free, bilingual call center of more than 50 customer service representatives to assist all users, including housing seekers, landlords, property managers and housing agencies. Review the full benefits of the service [here](#).

This dedicated staff will work to ensure that all information is current and that potential tenants are gaining access to the information that they are seeking.

The IowaHousingSearch.org web site will not only provide a free, affirmative marketing opportunity for property providers, it will equip Iowans with a current listing of available rental housing which will ultimately increase affordable housing options and choice. The site will also assist those seeking accessible housing, and in the event of natural disasters, the service will help the state locate housing for disaster victims.

Listing your rentals on IowaHousingSearch.org can help you reach more tenants. Pictures, maps and information about nearby amenities like parks, schools and hospitals can be included with the listings. The service can be accessed online or via toll-free phone and fax.

Please join this effort by registering for free today. Properties can be listed by following these three steps:

1. Register at IowaHousingSearch.org
OR Call 1-877-428-8844 (toll-free)
OR Fill out and fax [this form](#) to 1-866-265-7811.
2. Receive a user name and password with simple listing instructions.
3. Log on and add your listings, including photos and information about rent and deposits, property features, nearby amenities and much more.

A representative from the Socialserve.com call center will be contacting you to help you get your properties listed. You can always contact Socialserve.com at 1-877-428-8844 at any time with questions. For questions about how this system was established in Iowa, please contact [Ashley Jared](#) at 515-725-4934. Thank you in advance for your participation in this exciting new service.

Sincerely,



Dave Jamison
Executive Director
Iowa Finance Authority



City Council Members



[Quentin M. Hart](#), Ward 4 Through 12/31/2015

745 Boston Avenue, Waterloo, IA 50703
Home: (319) 214-0051
Email: CouncilmanHart@mediacombb.net



[David Jones](#), Ward 1 Through 12/31/2013

1930 Crabapple Ln. Waterloo, IA 50701
Home: (319) 233-1380
Email: david.jones.ward1@gmail.com



[Carolyn Cole](#), Ward 2 Through 12/31/2015

836 Lynkaylee Drive, Waterloo, IA 50701
Home: (319) 234-1021
Email: Carolyn.cole@vqm.com



[Harold Getty](#), Ward 3 Through 12/31/2013

1555 Woodmayr Drive, Waterloo, IA 50703
Home: (319) 232-2128
Email: harcarge@aol.com



[Ron Welper](#), Ward 5 Through 12/31/2013

1120 West 8th Street, Waterloo, IA 50702
Home: (319) 234-6013



[Bob Greenwood](#), At-Large Through 12/31/2013

3553 Muirfield Drive, Waterloo, IA 50701
Office: (319) 234-1589, Home: (319) 236-3585
Email: rjgrx@aol.com



[Steven J. Schmitt](#), At-Large Through

12/31/2015
1910 Kitty Hawk Drive, Waterloo, IA 50701
Office: (319) 232-3701, Ext. 201
Fax: (319) 232-1191
Email: sschmitt@schmitt.house.com

Waterloo City Council to Consider Landlord Licensing & Rental Registration As soon as Monday, December 9, 2014 **CALL YOU COUNCILMAN TODAY!**

An Ordinance amending the city RENTAL HOUSING code in Title 9, Chapter 7 has been proposed and distributed for review AND may go before the council for the first reading as early as Monday, December 9, 2013. **The first reading is the opportunity for PUBLIC COMMENTS.**

Landlord of Black Hawk members are encouraged to read the PROPOSED ORDINANCE AT:

www.blackhawklandlords.org/ or check your email inbox!

Then CALL YOUR COUNCILMAN -
www.cityofwaterlooia.com/citycouncil

The top 10 issues identified by the Board of Directors

- 1) There is no system for registration in place.
- 2) The City has not issued inspection certificates.
- 3) The city should provide zoning information.
- 4) The new rule does not state the fee structure.
- 5) The new rule does address how Tenant violation of occupancy rules will be addressed.
- 6) The new rule must compel the city police force to notify the Landlord of every incident at the property that is deemed in violation of the Crime Free Addendum.
- 7) The new rule must compel City Code Enforcement to cite and fine Tenants for code violations
- 8) The rule implies that the Landlord or the housing structure is somehow responsible for the criminal behavior of a prior Tenant.
- 9) Who will be fined for violation of the Crime Free Lease Addendum? How will such fine will be levied?
- 10) If City Council wants Landlords to evict criminals from rental units then city police must make Tenants criminals by arresting and convicting them for criminal behavior that can be used in court to evict.

If you feel any of these talking points are important them please address them with your Councilman, the At-Large Councilmen, and/or the Mayor BEFORE MONDAY AT 4:00 pm. A phone call is the best way to reach your Councilman, an email follow-up is always a good idea.

Board Meeting — Elk's Club

Notes December 5, 2013

Meeting called to order by Vice President Mark Pregler at 12:25 p.m. Board members present Sue Schauls, Jane Reppas, Jane Young, Gary Olmstead, Tony Miller, Chase Keller & Kris Pregler.

Due to the importance of upcoming issues with the City's new ordinance, it was suggested we quickly clear all "normal" agenda items so we could focus on that. Treasurer's report reviewed and accepted.

Hospitality: Gary Olmstead will be gone until mid-April. Mark Pregler agreed to ask Vendors to contribute gift cards as giveaways for the next four meetings, January through April.

Legislative: Motion made by Sue Schauls, seconded by Mark Pregler to ask Joe Kelly, our state lobbyist, to review the upcoming Waterloo Registration Ordinance and submit Iowa Codes where the city is wrong or interfering with existing Iowa Code, thereby creating a conflict with our rights and obligations. This will be paid from our legal fund.

Website: Motion by Tony Miller, second by Sue Schauls to allow our vendors to advertise on the scrolling ad section of our web site at no additional charge. Motion carried. Tony Miller agreed to install ads as they are requested, to include a "click-link" to those advertisers' web sites.

Membership: General membership is at approximately 168. 26 members have not renewed, about half of those should come in soon, this consistent with past years. 5 are non-profit housing members we do not charge. Membership dues to the Landlords Association of Iowa for 130 were submitted by Sue Schauls, Treasurer.

Dinners, Newsletter, Programs was briefly discussed. No December meeting.

Majority of this meeting involved the City of Waterloo Rental Registration and Landlord Licensing. The board went through most of the written ordinance and drafted notes pertaining to our concerns as an association. Bullet points of specific issues with the proposed ordinance will be drafted and a CALL TO ACTION to general membership will be given, asking members to attend the next City Council meeting. Specific members will be asked to address the council with specific items of concern. Sue kept detailed notes on these items and the board will "meet" via emails to cooperate on its distribution. Communication with other, related associations may be communicated with Realtors, Human Rights, etc.

Meeting Adjourned at 1:40
Respectfully submitted by Mark Pregler for
Rachel Page
LLBH Secretary

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Waterloo Police Department (WPD) Newsletter

New WPD newsletter is available for email distribution! WPD looks forward to your feedback on this newsletter or any other matter of mutual concern. If you have comments or suggestions on newsletters please contact Captain Joe Leibold at leiboldj@waterloopolice.com or 291-4383.

New Fed-Ex Drop Box Location

from *Bobbie Beard, Black Hawk County Abstract & Title*, wanted to inform businesses in downtown Waterloo about the Fed-Ex drop box located at our office, 614 Sycamore St. It is located right inside the door. Pick up will occur by 3:45 pm Monday thru Friday. If you have any questions, feel free to contact us at 319-291-4000.



LEAD SAFE RENOVATOR TRAINING

IOWA LAW REQUIRES anyone performing work in or on housing or child-occupied facilities built before 1978 be certified as a Lead Safe Renovator. **This includes:** Painting, Siding, Windows, Gutters, Roofing, Flooring, Cabinets, Countertops, Garage Doors, Plumbing, Electrical, HVAC, General Contractors, Handyman Services, Maintenance Workers, Rental Property Owners/ Managers...

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or visit www.IowaLeadSafety.com for more information

BLACKHAWKLANDLORDS.ORG

WEBSITE USER TIPS

ADDING PICTURES WILL PEEK INTEREST IN YOUR LISTING!



Use the camera icon to upload one or more photos to each listing. Once the image is loaded it will stay there for future use. If you do not have an image you can use the one from Black Hawk County Online.

Any Board member will be happy to help you upload a photo to your listing. You can send the photo to the gmail at *BlackHawkLandlord@gmail.com* or you can call Tony, Sue, Jane, Mark or Rachel for help! Ask for help at a meeting!

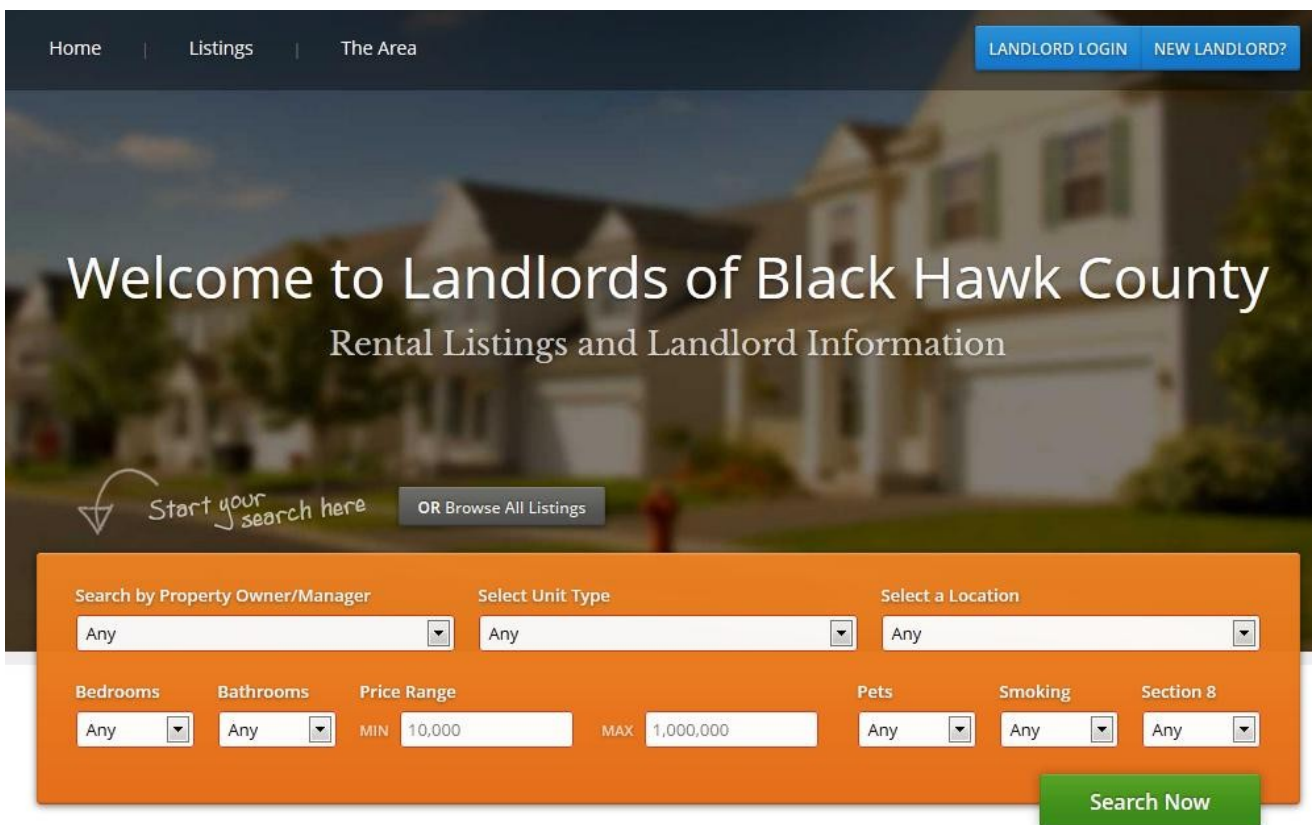
A YARD SIGN IS AVAILABLE FOR FREE TO ANY MEMBER!

You can pick up a yard sign at any meeting or ask a Board member to meet you to pick one up! The yard signs and website combination really works! Sue recently rented a small one bedroom in just two hours using the sign and the website listing.

ADD LINKS TO YOUR WEBSITE IN EACH LISTING

The website give you searchable listings at a site recognized as the “go to” place on the web for local listings. You can also add a link to your company (or personal) website too. This will allow you to have downloadable applications, leases and/or other

disclosures that you want potential Tenants to have before you spend time meeting them for a showing.



blackhawklandlords.org



FOR
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Landlords of Black Hawk, Inc.
PO Box 742, Waterloo IA 50704
www.blackhawklandlords.org

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MEETING

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6:00-Social

6:30-Dinner

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