

GENERAL EVICTION INFORMATION FOR LANDLORDS

Many landlords have questions about how the eviction process works in Iowa. This document is intended to answer some of those questions by explaining how the process generally works. This is not a replacement for legal advice because there are many technical issues that may arise, as well as current codes and rulings that are constantly changing. Advice from an attorney is always recommended.

Cause for Eviction

The first step of the eviction starts with the landlord having cause for eviction. Cause includes such things as:

- Non-payment of rent ⁽¹⁾
- Noncompliance with healthy and safety building and housing codes ⁽²⁾
- Unsanitary conditions ⁽³⁾
- Improper disposal of wastes ⁽⁴⁾
- Unreasonable use or manner of use of all electrical, plumbing sanitary, heating ventilating, air conditioning, and other facilities and appliances including elevators in the premises ⁽⁵⁾
- Deliberately or negligently destroy, deface damage, impair or remove a part of the premises or knowingly permit a person to do so ⁽⁶⁾
- Act in a manner that will disturb a neighbor's peaceful enjoyment of the premises ⁽⁷⁾
- Violations of the rental agreement ⁽⁸⁾
- Create a clear and present danger to the health and safety of the other tenants, landlord, landlord's employees or agents, or other persons on or within one thousand feet of the landlord's property ⁽⁹⁾

Necessary Notices and Service Procedures

Once there has been a violation of one of the above conditions the landlord needs to give written notice to the tenants that they are in violation. Usually the types of notices fall into one of the following:

- Failure to pay rent
 - Three day notice of intent to terminate lease/notice to cure ⁽¹⁰⁾
- Violation of lease
 - Seven day notice to correct violation or lease terminates ⁽¹¹⁾
 - For mobile homes 14 day notice to correct violation or lease terminates in 30 days ⁽¹²⁾
- Clear and present danger
 - Three day notice to quit for clear and present danger ⁽¹³⁾ (should include information about what tenant can do to correct issue including notification to landlord)
- Stay over after lease expired
 - Three day notice to quit ⁽¹⁴⁾
- Other reasons landlord wishes to terminate lease
 - 30 day notice from next periodic rental date ⁽¹⁵⁾
 - Three day notice to quit ⁽¹⁶⁾
- No rental agreement but possession established (family member, guest, significant other, or squatter)
 - Three day notice to quit ⁽¹⁷⁾

Additional forms available for landlords:

These forms are available in separate packet.

- 30 Notice to Terminate Tenancy
- Notice to Quit

- 3 Day Notice of Termination and Notice to Quit, Clear & Present Danger
- Notice of Past Due Rent
- Notice of Noncompliance with Rental Agreement
- Crime Free Lease Addendum

Landlords: If you would like to do a criminal history check on a potential renter, you may go to www.iowacourts.state.ia.us. Begin by clicking on “Start A Case Search Here”. Click “Case Search” and fill in the blanks with whatever information you have available. Hit search.

Please seek legal counsel for questions about the eviction process. The Sheriff’s Office is unable to give legal advice.

References:

- 1 Iowa Code sections 562A.27 (562B.25 for Mobile Homes)
- 2 Iowa Code sections 562A.17 (562B.18 for Mobile Homes)
- 3 Iowa Code sections 562A.17 (562B.18 for Mobile Homes)
- 4 Iowa Code sections 562A.17 (562B.18 for Mobile Homes)
- 5 Iowa Code sections 562A.17 (562B.18 for Mobile Homes)
- 6 Iowa Code sections 562A.17 (562B.18 for Mobile Homes)
- 7 Iowa Code sections 562A.17 (562B.18 for Mobile Homes)
- 8 Iowa Code sections 562A.27 (562B.25 for Mobile Homes)
- 9 Iowa Code sections 562A.27A (562B.25A for Mobile Homes)
- 10 Iowa Code sections 562A.27(2); 562B.25(2); 648.3(1) as Amended by 2010 Iowa Code
- 11 Iowa Code section 562A.27(1)
- 12 Iowa Code section 562B.25(1)
- 13 Iowa Code section 562A.27A(1)
- 14 Iowa Code section 648.3 as Amended by 2010 Iowa Code
- 15 Iowa Code sections 562.4; 562A.9(4); 562A.34(2) [562B.10(4) 60 Day Notice for Mobile Homes 562B.10(4)]
- 16 Iowa Code section 648.3 as Amended by 2010 Iowa Code
- 17 Iowa Code section 648.3 as Amended by 2010 Iowa Code
- 18 Iowa Code sections 562A.8; 562A.29A; (562B.9; 562B.27A for Mobile Homes) as Amended by 2010 Iowa Code
- 19 Iowa Code section 4.1(34)
- 20 Iowa Code section 648.5 as Amended by 2010 Iowa Code
- 21 Iowa Code sections 648.3; 648.5 as Amended by 2010 Iowa Code
- 22 Iowa Code sections 648.3; 648.5; 4.1(34) as Amended by 2010 Iowa Code
- 23 Iowa Code section 562A.27(4)
- 24 Iowa Code section 562A.27A(3) as Amended by 2010 Iowa Code
- 25 Iowa Code section 648.22
- 26 Iowa Code section 648.20