

## Cedar Rapids Municipal Utilities

### Rental Property – Procedures and Policies

#### Introduction

The Cedar Rapids Water Division (CRWD) administers the billing and collection process for the city's municipal utility services that include water, sanitary sewer, storm water, solid waste, yard waste, and recycling. CRWD collection procedures adhere to the provisions of the Cedar Rapids Municipal Code and the Iowa Code.

#### Lien Upon the Property

Iowa Code 384.84 4. a. (1) states that all rates and charges for municipal utility services are a lien upon the property or premise that is served by these services.

*Iowa Code 384.84 4.a.(1) Except as provided in paragraph "d", all rates or charges for the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, water, solid waste disposal, or any of these services, if not paid as provided by ordinance of the council or resolution of the trustees, are a lien upon the property or premises served by any of these services upon certification to the county treasurer that the rates or charges are due.*

The exception as referenced in paragraph "d" is the provision of an exemption to the lien for residential rental properties if the landlord meets and maintains certain requirements.

The exemption only applies to rental property where the water service is separately metered and paid directly to the utility by the tenant. The exemption shall be strictly contingent upon the following conditions:

- The landlord provides written notice to the municipal utility that the property is residential or commercial rental property and the tenant is liable for the rates or charges.
- The landlord's written notice contains the following information:
  1. The name of the tenant(s) responsible for charges and
  2. The address of the residential rental property that the tenant is to occupy and
  3. The date that the occupancy begins.

In order to maintain the exemption, the Landlord shall:

- Provide a new written notice to the CRWD within “thirty business days” of the change in tenant.
- Provide written notice of a change in ownership to the CRWD within “ten business days” of the date of the change of ownership.

**CRWD provides an electronic format for landlords to submit the information as required by Iowa Code 384.84. A date stamped receipt is transmitted back to the landlord as proof of submission. The entry form can be found on the City of Cedar Rapids website under Utilities - Landlord Information.**

*d. Residential rental property where a charge for water service is separately metered and paid directly to the city utility or enterprise by the tenant is exempt from a lien for delinquent rates or charges associated with such water service if the landlord gives written notice to the city utility or enterprise that the property is residential rental property and that the tenant is liable for the rates or charges. A city utility or enterprise may require a deposit not exceeding the usual cost of ninety days of water service to be paid to the utility or enterprise. Upon receipt, the utility or enterprise shall acknowledge the notice and deposit. A written notice shall contain the name of the tenant responsible for charges, address of the residential rental property that the tenant is to occupy, and the date that the occupancy begins. A change in tenant shall require a new written notice to be given to the city utility or enterprise within thirty business days of the change in tenant. When the tenant moves from the rental property, the city utility or enterprise shall return the deposit if the water service charges are paid in full. A change in the ownership of the residential rental property shall require written notice of such change to be given to the city utility or enterprise within ten business days of the completion of the change of ownership. The lien exemption for rental property does not apply to charges for repairs to a water service if the repair charges become delinquent.*