



# TENANTS PROJECT

## Brave New World: Changes in Iowa City Landlord/Tenant CLE

In less than a month three major opinions, one appellate and two small claims, have changed the legal landscape for landlords and tenants in Iowa City. Christopher Warnock, attorney in these cases and counsel for the Iowa Tenants Project discusses the impact of these decisions.

1. *Ahmed v. Barkalow*, SCSC 082744, (Johnson County District Court-Small Claims, May 15, 2013) Judge Magistrate Rose
  - A. No fines, penalties or liquidated damages clauses, only actual damages permitted. May not charge for staff time.
  - B. Imposed actual and punitive damages for wrongful withholding of security deposit and inclusion of prohibited clause
  
2. *Staley v. Barkalow*, 3-255/12-1031 (Iowa App. 2013)
  - A. Inclusion of prohibited lease clause is illegal without enforcement
  - B. Class action reinstated for inclusion of illegal lease clauses
  
3. *De Stefano v. Apts. Downtown* SCSC80575, (Johnson County District Court-Small Claims, June 10, 2013) Judge Magistrate Egerton
  - A. Landlord may not charge for automatic carpet cleaning, vandalism by unknown third parties, may not impose ordinary business costs on tenants,

required eyewitness testimony or documentation of direct costs for repairs and cleaning.

B. Imposed actual and punitive damages for wrongful withholding of security deposit and inclusion of prohibited clause

Presenter:

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