

Johnson County supervisors clash over rental housing code

Measure designed to address Regency issues, but would do little to help there



Tovin Winn of Iowa City works to repair exposed sections of the roof of a home at the Regency mobile home park in Iowa City on Friday, Oct. 28, 2011. (David Scrivner/SourceMedia Group)

Johnson County's supervisors clashed Wednesday – at times getting personal, with one supervisor calling another a liar – over a proposed rental housing code.

The proposal would require select rental properties in the unincorporated parts of the county to meet safety and nuisance standards. It traces its origins to the long-troubled Regency Mobile Home Park, but it would do little to resolve the issues there.

It would take a so-called property maintenance code to address Regency's problems because most of the mobile homes are owner-occupied and not rentals. Three of the five Board of Supervisors members voted against moving forward with a property maintenance code a year ago, but on Wednesday a majority of the supervisors agreed to again take up that issue.

That surprise came toward the end of a heated discussion over the rental code.

The main dispute occurred over whether agricultural property should be exempted from the rental code, a move the board majority ultimately supported.

Supervisors Janelle Rettig and Terrence Neuzil went after each other over that point.

Assistant County Attorney Susan Nehring said state law limits the powers of counties to pass regulations on land, buildings and other structures used primarily for agricultural purposes. A county does have the authority to pass exemptions to a code that would be in line with the exemptions allowed in state law, she said.

Neuzil said he supported exempting farms out of concern the county code could be challenged for violating state law.

Rettig said Neuzil wasn't qualified to interpret the law and accused him of not caring about the public's health.

"Oh, wow, that really stings," Neuzil said sarcastically. He added that he was looking out for residents by ensuring the county doesn't get sued for breaking state law.

Rettig countered that that hasn't happened in Linn County. Linn County has a property maintenance ordinance for unincorporated areas that does not exempt agricultural property.

"I think this (Johnson County's proposed code) is worthless and accomplishes nothing," she said.

Board Chairman Pat Harney and Sally Stutsman agreed with Neuzil. Rod Sullivan joined Rettig in opposition, saying it shouldn't matter where residents live or what their occupation is when public safety is concerned.

The rental housing code would exempt rental dwellings located on farms so long as one or more of the tenants are regularly engaged in agricultural activities either as an employee or as part of a contractual relationship, Nehring said. The board majority also agreed buildings rented to family members related within three degrees of each other would be exempt unless rent is paid.

The board was meeting in a work session Wednesday and plans to place the code on an upcoming agenda, possibly next week.

Supervisors in support of the code called it a good first step, and Neuzil suggested it could lead to another consideration of a property maintenance code that could include all property in the unincorporated county.

The issue [first came up in spring 2010](#) following [continued complaints](#) about the living conditions at Regency Mobile Home Park.

After [hundreds of rural residents](#), many of them farmers, voiced their opposition a year ago, Neuzil, Stutsman and Harney said they wanted to exempt owner-occupied housing from regulations, which Nehring said at the time meant the county was no longer considering a property maintenance code but rather a rental code.

Harney said Wednesday he still gets calls about [Regency](#), including one from a resident this week, and he would have supported a property maintenance code with agricultural exemptions.

Sullivan said the board was having Wednesday's discussion about a rental code because three members, including Harney, were opposed to a property maintenance code.

Harney denied that. Sullivan replied, "It's just a blatant lie," and then handed out a check list of how the board has voted on the issue, which included the 3-2 split on exempting owner-occupied homes, with Harney in the majority.

In what came off as almost a dare, Sullivan and Rettig said if Harney supports a property maintenance code, the supervisors should vote on one. They could not do that Wednesday because it was not on the agenda, but the board agreed to put it on the agenda of an upcoming meeting.

That could put the board back to where it was one year ago, although they'll also consider the rental housing code separately.

“Sounds like a good discussion,” Neuzil said with a smile.