

Bond Case Briefs

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City of Iowa City v. Iowa City Bd. of Review

Supreme Court of Iowa - May 15, 2015 - N.W.2d - 2015 WL 2261303

City sought review of decision of its board of review reclassifying 18 properties held by eleven multiple housing cooperatives from commercial to residential for property tax purposes. The District Court affirmed. City appealed.

The Supreme Court of Iowa held that:

- Two corporations were statutorily permitted to organize multiple housing cooperative, and
- Cooperative statute did not require one-apartment-unit-per-member ownership ratio.

Two corporations were statutorily permitted to organize multiple housing cooperatives, and therefore cooperatives were permitted to be classified as residential for property tax purposes, where statute governing organization of multiple housing cooperatives expressly stated that corporations were persons within the meaning of the statute.

Statute governing organization of multiple housing cooperatives did not require one-apartment-unit-per-member ownership ratio for cooperative to be properly organized, where statute did not expressly require organizers to be members of cooperative or own any property at the time of organization, and nothing in the statute prohibited one person from holding ownership and corresponding membership interest in more than one apartment unit.