

**In the Iowa Supreme Court**

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No. 23–0672

Submitted December 17, 2024—Filed January 24, 2025

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**MIMG CLXXII Retreat on 6th, LLC,**

Appellant,

vs.

**Nathan Cortez Williams and Parties in Possession,**

Appellees.

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Appeal from the Iowa District Court for Linn County, Lars G. Anderson, judge.

**Reversed and Case Remanded.**

Per curiam.

Mark E. Weinhardt (argued) of The Weinhardt Law Firm, Des Moines, for appellant.

Patrick Bigsby (argued), Melanie N. Huettman, and Alexander V. Kornya of Iowa Legal Aid, Des Moines, for amicus curiae Iowa Legal Aid.

Jodie C. McDougal and Jackson G. O'Brien of Fredrikson & Byron, P.A., Des Moines, for amici curiae Greater Iowa Apartment Association; Iowa Manufactured Housing, Association; Landlords of Iowa, Inc.; Central Iowa Property Association; Dubuque Area Landlords Association, Inc.; Fort Dodge Area Landlord's Association; Iowa City Apartment Association, Inc.; Landlords of Linn County; Marshalltown Rental Property Association; Muscatine Landlord Association, Inc.; North Iowa Landlords Association; Pottawattamie County Landlord Association; Siouxland Rental Association, Inc.; Southeast Iowa

Property Owners; Wapello County Area Chapter Landlords Association; and  
Conlin Properties, Inc.

**Per Curiam.**

This case involves the same questions that were decided in *MIMG CLXXII Retreat on 6th, LLC v. Miller*, \_\_\_ N.W.3d \_\_\_ (Iowa 2025). In May 2022, Nathan Williams entered into a residential lease for an apartment owned by MIMG CLXXII Retreat on 6th, LLC (The Retreat) in Cedar Rapids. Williams defaulted as to rent and was served with a three-day notice to quit in December. The Retreat then brought a forcible entry and detainer action in the small claims division of the district court. See Iowa Code §§ 648.1, .22 (2022). Williams did not appear at the hearing. However, because The Retreat qualifies as a “covered dwelling” under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the magistrate concluded that a thirty-day notice was required and dismissed the case. See 15 U.S.C. § 9058. The Retreat appealed and the district court affirmed. We granted The Retreat’s application for discretionary review. We invited Iowa Legal Aid to file an amicus brief and to argue in support of the decision below. Iowa Legal Aid did so.

For the reasons set forth in *Miller*, we now reverse the judgment of the district court and remand for further proceedings consistent with *Miller*.

**Reversed and Case Remanded.**

This opinion shall not be published.