



Roll Call Number

Agenda Item Number
44C

Date May 9, 2022

ABATEMENT OF PUBLIC NUISANCE AT 5616 UNIVERSITY AVENUE

WHEREAS, the property located at 5616 University Avenue, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholder, IDAHO HOUSING & FINANCE ASSOCIATION, was notified more than thirty days ago to repair or demolish the main structure and as of this date has failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as Lot 6 in WINDSOR SQUARE, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 5616 University Avenue, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by _____ to adopt.
Second by _____

FORM APPROVED:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk



City of Des Moines
 400 Robert D. Ray Drive
 Des Moines, IA 50309

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Case Number: NUIS-2021-000069	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 12/13/2021
	Date of Notice: 01/21/2022
	Date of Inspection: 12/16/2021

IDAHO HOUSING & FINANCE ASSOCIATION
 565 W MYRTLE ST
 BOISE ID 83702

Address of Property: **5616 UNIVERSITY AVE, DES MOINES IA 50311**
 Parcel Number: **782502229006**
 Legal Description: **LOT 6 WINDSOR SQUARE**

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	02/04/2022

60-192(10) - Dangerous Structure or
Premise - Lack of Sufficient Construction

Vacate and secure the structure or premises, OR, demolish the structure after obtaining required demolition permit, OR, repair or replace insufficient construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause that is a threat to life or health.

02/04/2022

ELECTRICAL, FURNACE, WATER HEATER, METAL CHIMNEY, FLOORING, WALLS, FRAMING, JOISTS, HOLE IN BASEMENT CEILING, STANDING WATER IN THE BASEMENT

ALL ELECTRICAL, MECHANICAL, PLUMBING AND STRUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE THAT ARE IN NEED OF REPLACEMENT OR REPAIR ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES.

GAS SERVICE HAS BEEN SHUT OFF NEED LICENSED MECHANICAL CONTRACTOR TO VERIFY SAFETY OF MECHANICAL SYSTEMS AND CORRECT ANY VIOLATIONS PRIOR TO SERVICE BEING RESTORED. PERMIT REQUIRED.

60-192(3) - Dangerous Structure or Premise
- Damaged

02/04/2022

Repair or replace any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

DAMAGED FLOOR JOISTS, HOLE IN BASEMENT CEILING, DAMAGED AND MISSING FLOOR MATERIALS, DAMAGED CHIMNEY, WINDOW, RETAINING WALL, CONCRETE STAIRS LEADING TO NORTH DOOR, OBTAIN FINAL ON PERMIT

REPAIR AND REPLACE ANY AND ALL DAMAGED FLOORING THROUGHOUT THE STRUCTURE. OBTAIN FINAL ON PERMIT

REPAIR OR REPLACE ALL DAMAGED OR MISSING WINDOWS AS NEEDED. PERMIT REQUIRED IF CHANGING OPENING SIZE.

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

SEVERE SMOKE AND FIRE DAMAGE. REPLACE ALL THAT IS DAMAGED. BUILDING PERMIT REQUIRED.

REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

60-192(4) - Dangerous Structure or Premise
- Insufficient Strength or Stability

MAIN STRUCTURE

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

02/04/2022

RETAINING WALL AT FRONT, LICENSED CONTRACTOR WILL NEED TO REVIEW FOR REPAIRS OR REPLACING AND OBTAIN PERMIT AND HAVE IT FINALIZED

60-192(4) - Dangerous Structure or Premise
- Insufficient Strength or Stability

MAIN STRUCTURE

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

02/18/2022

FRONT STEPS TO MAIN ENTRANCE

60-192(4) - Dangerous Structure or Premise
- Insufficient Strength or Stability

MAIN STRUCTURE

Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

02/18/2022

HANDRAIL AT FRONT STEPS, LICENSED CONTRACTOR WILL NEED TO REVIEW BEFORE REPAIRS OR REPLACEMENT AND OBTAIN NECESSARY PERMIT AND FINALIZE

60-192(6) - Dangerous Structure or Premise
- Unsafe

Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.

02/04/2022

METAL CHIMNEY FROM WATER HEATER TO EXTERIOR

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR DAMAGED CHIMNEY. HAVE SERVICED, PROVIDE RECEIPT

REPAIR/REPLACE ANY BROKEN, MISSING, DAMAGED OR ROTTED DRYWALL/PANELING/WALL COVERING. ANY REPAIRS TO THE STRUCTURE WILL REQUIRE A BUILDING PERMIT.

60-192(8) - Dangerous Structure or Premise
- Substantial Risk

Repair or replace any portion of the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.

02/04/2022

DAMAGED/ MISSING FLOORING AT MAIN STRUCTURE

OBTAIN FINAL ON PERMIT AND HAVE LICENSED CONTRACTOR REPAIR OR REPLACE ALL DAMAGED WALL COMPONENTS, INCLUDING: FRAMING, SHEETING, AND COVERINGS. PERMIT REQUIRED FOR REPLACEMENT OF ALL STRUCTURAL COMPONENTS.

60-192(9) - Dangerous Structure or Premise
- Unsanitary, Unfit for Habitation

02/04/2022

MAIN STRUCTURE

Vacate and secure the structure or premises, OR, repair, replace, and/or sanitize any building or structure determined to be unsanitary, unfit for human habitation, or in such a condition that it is likely to cause sickness or disease.

HAVE A LICENSED MECHANICAL CONTRACTOR INSPECT THE ENTIRE MECHANICAL SYSTEM AND PROVIDE A COPY OF THE FINDING. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE MECHANICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED MECHANICAL CONTRACTOR.

HAVE A LICENSED PLUMBING CONTRACTOR INSPECT THE ENTIRE PLUMBING SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE PLUMBING SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED PLUMBING CONTRACTOR.

HAVE A LICENSED ELECTRICAL CONTRACTOR INSPECT THE ENTIRE ELECTRICAL SYSTEM AND PROVIDE A COPY OF THE FINDINGS. REPAIR AND/OR REPLACE ALL DEFICIENT ELEMENTS OF THE ELECTRICAL SYSTEM THROUGHOUT THE ENTIRE STRUCTURE. WORK MUST BE DONE BY A LICENSED ELECTRICAL CONTRACTOR.

ALL ELECTRICAL, MECHANICAL, PLUMBING AND STUCTURAL COMPONENTS THROUGHOUT THE STRUCTURE THAT ARE IN NEED OF REPLACEMENT OR REPAIR ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET THE CITY CODES. PERMITS MUST BE FINALIZED

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure is occupied, it must be **vacated immediately**. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES. Should you have any questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner.

If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Keith Brincks
Neighborhood Inspector
Neighborhood Services
602 Robert D. Ray Drive, Des Moines, IA 50309
(515) 283-4246
kmbrincks@dmgov.org

44C



04-05-2020 01:19 PM



04-05-2022 01:19 PM



04-06-2022 01:19 PM



04-06-2022 01:20 PM



04-05-2022 01:21 PM

44C

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	5616 UNIVERSITY AVE				
City	DES MOINES	Zip	50311	Jurisdiction	Des Moines
District/Parcel	090/07735-000-000	Geoparcels	7825-02-229-006	Status	Active
School	Des Moines	Nbhd/Pocket	DM52/Z	Tax Authority Group	DEM-C-DEM-77131
Submarket	Northwest Des Moines	Appraiser	Brett Tierney 515-286-3019		

Map and Current Photos - 1 Record

Click on parcel to get a new listing

5616 is highlighted in yellow on the map.

[Bigger Map](#) [Polk County GIS](#)
[Google Map](#) [Pictometry](#)



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	IDAHO HOUSING & FINANCE ASSOCIATION	2022-01-12	18946/911

Legal Description and Mailing Address

LOT 6 WINDSOR SQUARE	IDAHO HOUSING & FINANCE ASSOCIATION POB 7899 BOISE, ID 83707-1899
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Residential	Full	\$31,700	\$73,200	\$104,900

[Market Adjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
2021 Homestead Credit	HARTLEY, DANIEL	Application #406357

Zoning - 1 Record

Zoning	Description	SF	Assessor Zoning
N3B	N3b Neighborhood District		Residential

City of Des Moines Community Development Planning and Urban Design 515 283-4182 (2012-03-20)

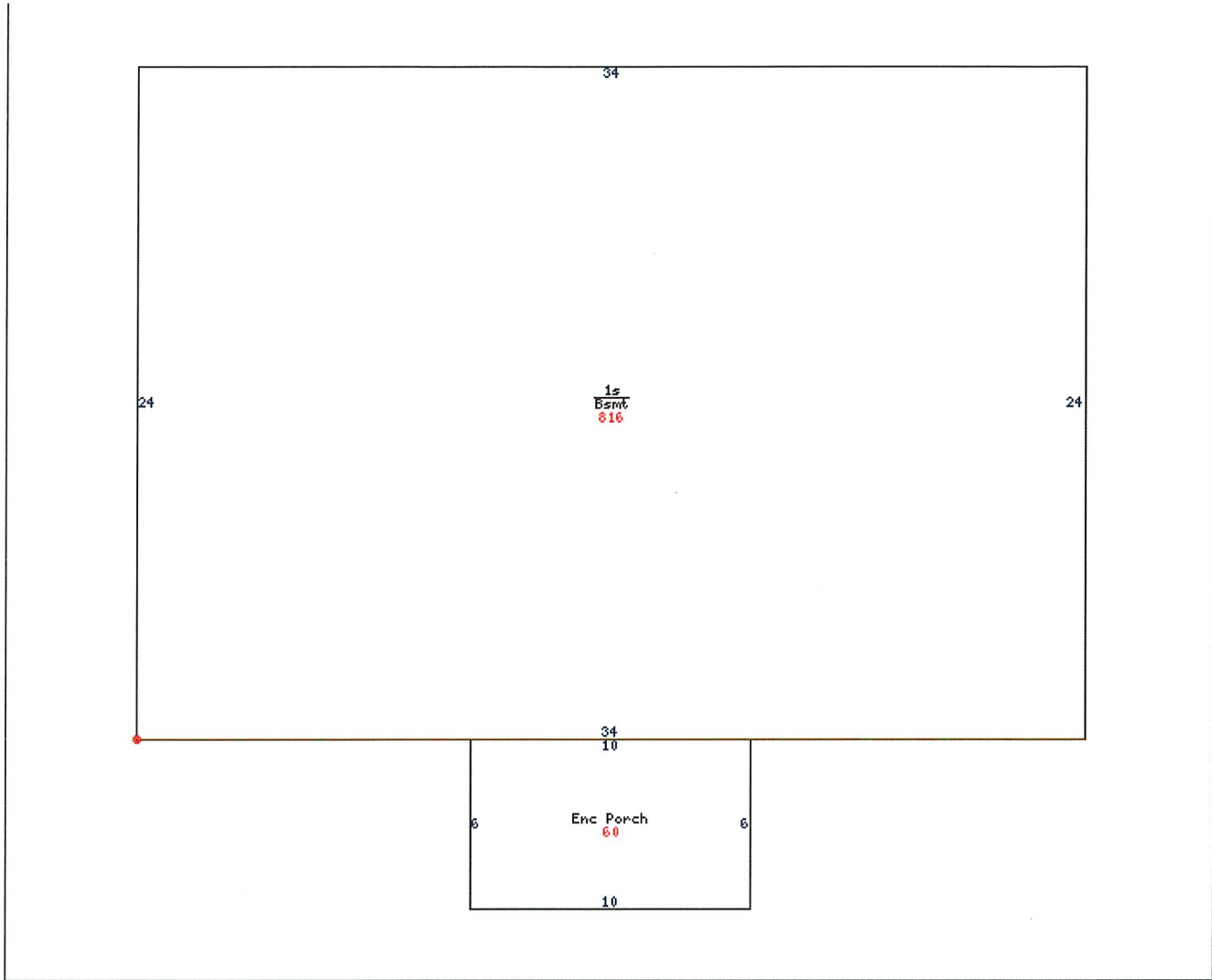
Land

Square Feet	7,000	Acres	0.161	Frontage	50.0
Depth	140.0	Topography	Normal	Shape	Rectangle
Vacancy	No	Unbuildable	No		

Residences - 1 Record

Residence #1

Occupancy	Single Family	Residence Type	1 Story Unfinished Attic	Building Style	Early 20s
Year Built	1926	Number Families	1	Grade	4-05
Condition	Normal	Total Square Foot Living Area	816	Main Living Area	816
Attic Floor and Stairs Area	286	Basement Area	816	Enclosed Porch Area	60
Foundation	Brick	Exterior Wall Type	Metal Siding	Roof Type	Gable
Roof Material	Asphalt Shingle	Number Fireplaces	1	Heating	Gas Forced Air
Air Conditioning	100	Number Bathrooms	1	Bedrooms	2
Rooms	4				



Sales - 4 Records

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
CRUZ-CASTRO, MARIA	HARTLEY, DANIEL	2019-05-22	\$96,000	Deed	17351/21
NORTHEY, DANIEL H	CRUZ GONZALEZ, RUBEN	2004-12-09	\$82,500	Deed	10884/61
KRITENBRINK, SCOTT A	NORTHEY, DANIEL H	1992-03-18	\$54,500	Deed	6531/179
MCGUIGAN, MICHAEL J.	KRITENBRINK, SCOTT A.	1988-03-28	\$45,000	Deed	5836/986

Recent Ownership Transfers

Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
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Grantor	Grantee	Instrument Date	Recording Date	Instrument Type	Book/Pg
HARTLEY, DANIEL <hr/> HARTLEY, SUSAN <hr/> SCHNEIDER, KEVIN J <hr/> Also Known As HARTLEY, DANIEL A	IDAHO HOUSING & FINANCE ASSOCIATION	2022-01-04	2022-01-12	Sheriffs Deed	18946/911
CRUZ GONZALEZ, RUBEN <hr/> CRUZ- CASTRO, MARIA	HARTLEY, DANIEL	2019-05-26	2019-06-03	Warranty Deed	17351/21

Permits - 5 Records

Year	Type	Permit Status	Application	Reason	Reason1
2020	Permit	Cancel	2017-03-30	Construction	GARAGE
2019	Permit	Pass	2017-03-30	Construction	GARAGE (576 sf)
2018	Permit	Pass	2017-03-30	Construction	GARAGE (576 sf)
2007	Permit	No Add	2006-06-09	Alterations	EXTERIOR
2005	Permit	Complete	2004-09-30	Remove	GARAGE

Historical Values

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Residential	Full	\$31,700	\$73,200	\$104,900
2019	Assessment Roll	Residential	Full	\$29,300	\$67,500	\$96,800
2017	Assessment Roll	Residential	Full	\$26,000	\$74,100	\$100,100
2015	Assessment Roll	Residential	Full	\$22,600	\$65,100	\$87,700
2013	Assessment Roll	Residential	Full	\$21,900	\$64,900	\$86,800
2011	Assessment Roll	Residential	Full	\$21,900	\$65,200	\$87,100
2009	Assessment Roll	Residential	Full	\$22,000	\$65,600	\$87,600
2007	Assessment Roll	Residential	Full	\$21,900	\$65,400	\$87,300
2005	Assessment Roll	Residential	Full	\$17,200	\$60,300	\$77,500
2003	Assessment Roll	Residential	Full	\$15,610	\$58,650	\$74,260
2001	Assessment Roll	Residential	Full	\$15,410	\$54,850	\$70,260
1999	Assessment Roll	Residential	Full	\$12,100	\$57,750	\$69,850
1997	Assessment Roll	Residential	Full	\$12,100	\$57,750	\$69,850
1995	Assessment Roll	Residential	Full	\$10,820	\$51,640	\$62,460
1993	Assessment Roll	Residential	Full	\$9,480	\$45,260	\$54,740
1991	Assessment Roll	Residential	Full	\$8,700	\$31,040	\$39,740
1991	Was Prior Year	Residential	Full	\$8,700	\$26,710	\$35,410