



**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**02-354**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**AGENDA:**

JULY 8, 2002

**SYNOPSIS -**

City Council approval of Special Warranty Deed conveying property located at 1322 Washington Avenue to Kathleen M. Shinn (n/k/a) Kathleen M. Van Pilsum under the Urban Homesteading Program.

**SUBJECT:**

SPECIAL  
WARRANTY DEED  
CONVEYING  
PROPERTY AT 1322  
WASHINGTON  
AVENUE

**FISCAL IMPACT -**

None.

**RECOMMENDATION -**

**Approval.**

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**BACKGROUND -**

The City of Des Moines has been a participant in the Urban Homesteading Program since 1982. The program was operated by the U.S. Department of Housing and Urban Development (HUD) through which the City acquired title to federally owned houses for repair and re-conveyance to low- and moderate-income households pursuant to a Homestead Agreement. The agreement required that the homesteaders occupy and maintain the property for a continuous five-year period.

**SUBMITTED BY:**

JAMES M. GRANT  
COMMUNITY  
DEVELOPMENT  
DIRECTOR

Kathleen M. Shinn occupied a house at 1322 Washington Avenue under the homestead program on June 26, 1990. At that time, she was a single mother with two children. She married and moved from the house in June 1994, after occupying it for four years, because it was too small. She has rented out the property since then. Several attempts by staff to contact Ms. Shinn were unsuccessful.

She recently contacted the City with a request to convey the property to her so that it could be sold to the renter who has been occupying it since 1994. She also contacted HUD Headquarters who informed her that she could request a hardship waiver from the City. She submitted

the hardship request on May 3, 2002, stating that her family outgrew the house at 1322 Washington Avenue and she was unaware that the City was the first titleholder of the property.

The HUD area office informed us on May 17, 2002, that the legislation authorizing the Urban Homestead Program was repealed on November 28, 1990, and the City may transfer title to the property owner, utilizing any terms and conditions it sees fit.

The property has a current Certificate of Inspection, meets Housing Quality Standards, and Ms. Shinn is current with her Section 312 loan. In the past, waivers have been approved on other homestead properties based on unusual circumstances and hardships.

Since the property has been maintained and will become owner-occupied by an income-eligible household, it appears to be in the best interests of the City and of the potential owner to convey title to the property to Ms. Shinn.

Staff recommends that the City Council approve the conveyance.

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