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IN THE COURT OF APPEALS OF IOWA

UPON THE PETITION OF
PEARLIE L. CHANDLER,

Appellee,

AND CONCERNING
JAMES L. CHANDLER,

Appellant.

Filed April 26, 1979

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2-62254

Appeal from Polk District Court - Anthony M. Critelli, Judge.

Husband appeals from property division and alimony provisions in dissolution
decree. AFFIRMED.

James L. Bennett of Des Moines for appellant.

Robert A. Wright and Thomas E. McCurnin of Des Moines for appellee.

Submitted to Oxberger, C.J., and Donielson, Snell, Carter and Johnson, JJ.

The husband, respondent, appeals from final dissolution decree granting him full, unencumbered interest in one residential property acquired by the parties during the marriage, receipt of \$50.00 per month alimony for six months and a direction that he was to be held harmless for all debts and obligations incurred during the marriage. The wife was awarded the homestead, four rental properties, and the household furnishings and was directed to pay all debts and obligations of the parties incurred during the marriage, including mortgages and encumbrances on real properties.¹ Appellant argues that the amount of the alimony award, its termination date and the property division were unjustified. We affirm trial court's judgment.

I. Review of dissolution proceedings is de novo. Iowa R. App. P. 4; Zinger v. Zinger, 243 N.W.2d 639, 640 (Iowa 1976). Guidelines for equitable determinations of property rights and obligations of parties to a dissolution were established in Schantz v. Schantz, 163 N.W.2d 398, 405 (Iowa 1968), without regard to fault. In re Marriage of Williams, 199 N.W.2d 337, 344 (Iowa 1972).

II. During the 13 years of marriage petitioner held a steady job and assumed major financial responsibility for acquiring rental property. At trial time, she earned \$16,000 per year as a public school teacher. Respondent, who was in good mental and physical health, did not exert himself to regular employment but found odd jobs and assumed maintenance and upkeep duties at the five rental properties. There are no children of the marriage. On appeal defendant claims trial court has stripped him of his basic livelihood and made no compensating adjustments in the property division. We found the opposite view obtains. Respondent was given an unencumbered asset which he may live in and use as collateral for reestablishing his life. No means of support such as deprivation of tools or business have been taken from him. Although respondent may have personal emotions regarding his contributions to acquisition of marital property, the court is under no mandate to make equal allocation of assets in dissolution cases. In re Marriage of Tucker, 213 N.W.2d 498, 501 (1973). We find the property division and alimony award proper after applying the necessary criteria.

In his summary of argument respondent states "[h]usband should be awarded attorney's fees on appeal." Appellant made no application for attorney fees; the proposition is not stated as an issue, argued or supported by authority and thus shall be deemed waived. Iowa R. App. P. 14(a)(3). Costs of this appeal are assessed to respondent.

AFFIRMED.

¹ Total indebtedness of the parties at date of trial was \$28,935.00.