

Divorce & Your Home

Everything you need to confidently navigate home ownership in divorce and secure your future.

Inside you'll find pages with must-have resources like • tips for deciding whether to sell, keep, or co-own • glossary for understanding common home equity terms • a checklist for documents you'll need to gather • how to divide finances in divorce • advice for negotiating a win-win outcome • strategy for evaluating your various home options • and more



Divorce can be scary and overwhelming. Our mission at Hello Divorce is to make it much easier, virtually hassle-free, and thousands of dollars less. We're a modern divorce service providing a complete and caring approach to divorce, so you can easily navigate the legal steps, manage your finances confidently, solve disagreements fairly, avoid high legal fees, and empower a better next chapter.

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We can help no matter where you are in the process.

The “Hello Divorce” Divorce

There’s divorce, then there’s the “Hello Divorce” divorce. *What makes us different?*

- Easy 3-step online process
- Designed by experienced divorce pros with big hearts
- A personal divorce specialist guides you through the entire process
 - Start your paperwork as soon as you sign up
 - Have your initial forms ready to file and serve immediately
 - Start alone or with your spouse, anywhere in the process
- Access to mediators trained to help you and your spouse get to an agreement
 - Instant, unlimited access to curated resources, tips, downloads, and other exclusive offers
 - No lawyers (unless you want one)

STEP 1: FILE FOR DIVORCE

1. Answer easy-to-understand questions online
2. All the forms you need are automatically generated for you
3. Follow our easy instructions to file yourself
4. Or, choose a plan where we review your forms, file, and serve for you
5. Move on to Step 2 immediately

STEP 2: COMPLETE YOUR FINANCIAL DISCLOSURES

1. Gather your financial information
2. Fill out our online questionnaire
3. Download your completed forms
4. Exchange financial information with your spouse
5. File with the court if needed in your state

STEP 3: COME UP WITH YOUR AGREEMENT

1. Figure out your parenting plan and child support (if you have kids)
2. Decide on property division (expert services available if you need some extra help along the way)
3. Fill out our online questionnaire
4. Download your forms
5. File with the court to finalize your divorce

Our 3-Step HomeSplit Solution

[HomeSplit](#) is our specialized service designed to support you in making informed decisions about your marital home during a divorce. It offers a clear, straightforward process to help you understand your options, focusing on figuring out your home's equity and planning the best steps forward.

We know that deciding how and when to split your home is a big personal choice, and it's different for everyone. That's why [HomeSplit](#) is here for you at any point – before, during, or after your divorce – regardless of whether you're handling your divorce with us or not. Our goal is to help you find the best possible solution for your home, fitting your needs and those of your changing family.

1. Get the [HomeSplit Calculator](#)

- Answer easy-to-understand questions online about your home and goals on our private and secure form.
- Review the output on your dashboard and accompanying PDF to begin to understand the approximate equity available for division between you and your spouse, and different options that may be available to keep or sell your home.

2. Speak with Hello Divorce's home advisor

You and your spouse book a free appointment (together or alone) with our divorce real estate strategists to explore and discover your home options and how to best divide value to get a fair share.

3. Choose your path

- We will connect you with a top real estate partner whom we've pre-researched and vetted to get the outcome you are looking for. Because we save our partners so much money, many of them reduce their rates to our customers.
- Whether you choose to sell or stay, we'll provide strategic guidance through closing and beyond that helps you balance your emotional and financial well-being.

10 Tips for Deciding Whether to Move Out Before Filing for Divorce

Deciding whether to stay or move out before your divorce is a crossroads many face. But armed with the right information, you can make a choice that aligns with your safety, financial stability, and the well-being of your family.

1. KNOW THE LEGAL LINGO

While some states require that you “separate” from your spouse before you start your divorce, that rarely means that you have to physically live in different homes. Exceptions exist, like North Carolina, so it's important to understand the basics in your home state. But, staying in your home with your spouse is usually legal – although not often ideal.

2. SAFETY FIRST

If there's any threat to your safety or well-being, the immediate focus should be on finding a secure living situation. Always prioritize your safety, and don't hesitate to seek protective orders or legal advice if you're in a potentially harmful environment.

3. EVALUATE FINANCIAL FEASIBILITY

Carefully consider the economic implications of maintaining two households. Assess both your and your spouse's ability to handle separate living expenses without compromising financial stability.

4. CRAFT A TEMPORARY FINANCIAL STRATEGY

Work out a short-term financial arrangement that covers essential expenses such as mortgage, rent, utilities, and daily living costs. This interim plan should aim to prevent financial strain and protect both parties' credit scores.

10 Tips for Deciding Whether to Move Out Before Filing for Divorce

5. ARE THE KIDS ALRIGHT?

If children are involved, their needs and emotional well-being should be at the forefront of your decision. The stability of their living environment, schooling, and emotional health are paramount. Discuss and strategize the best living arrangements that will support them through the transition.

6. EXPLORE CREATIVE LIVING SITUATIONS

If affordability is a concern, think outside the box for temporary living solutions. This might include staying with relatives, friends, or exploring cost-effective temporary housing options that won't overextend your budget.

7. FORMULATE INTERIM AGREEMENTS

Establish clear temporary agreements with your spouse regarding the division of finances, parenting responsibilities, and property use. These agreements can help prevent misunderstandings and conflicts and provide a structured framework for the separation period.

8. LEVERAGE MEDIATION SERVICES (WE'RE HERE TO HELP!)

Utilize mediation services to negotiate and agree on the terms of your separation before filing for divorce. Mediation can help you reach amicable agreements and set a collaborative tone for your divorce proceedings.

9. TALK TO A FINANCIAL EXPERT

Before making any significant changes to your living situation, seek advice from financial advisors and legal professionals. They can provide insights into how moving out might affect your divorce proceedings, financial obligations, and asset division.

10. DOCUMENTS, ASSETS, AND DEBTS

Keep a detailed record of all shared and individual assets, liabilities, and important personal documents. This is crucial for protecting your interests and ensuring that all property is accounted for during the divorce process.



Understanding Your Home Value & Equity in Divorce

The value and equity of your home is one of the most important factors to understand and consider when you are getting a divorce. Below is a guide to help you understand these concepts. Note: In addition to financial considerations, there are sometimes moral or legal considerations that impact how equity is divided. In this part of the worksheet, we will determine what the full equity in your home is and later explore how that equity will be divided.

Fair Market Value (FMV)

The price that your property would sell for on the open market.

How to determine Fair Market Value

It can be assessed through various methods, including professional appraisals, comparative market analyses by real estate agents, or using online tools like Zillow or Redfin. Each method provides insights, but varies in precision. Many people start with a property detail report to learn the estimated value of their home as well as other details such as whether or not any taxes are owed or if their spouse has taken out any loans on the property that they were unaware of.

**Get your property detail report,
valuation, and credit review**

[CLICK HERE](#)

Understanding Your Home Value & Equity in Divorce

Home equity

Equity represents the portion of your home that you truly "own" – the difference between the market value of your home and any debts secured by it, such as a mortgage.

Calculating equity

To find your equity, subtract the total remaining mortgage balance from the home's current market value. This figure is crucial in divorce settlements, as it represents a tangible asset to be divided.

Impact on divorce

Once you understand home equity, you'll need to think through different options for dividing it (we'll get to that so keep reading!) But first, clarify your post-divorce financial and living situation goals. We can't possibly decide what we want and need until we have a clear understanding of what we ultimately want for ourselves in 3-5 years and beyond.

**Get your property detail report, valuation,
and credit review**

[CLICK HERE](#)

Checklist: Prepare for Home Equity Division

Use this checklist to gather what you need before dividing your home equity

TO DO:

UNDERSTAND THE BASICS:

- **UNDERSTAND THE DEFINITION OF HOME EQUITY** – The difference between your home's fair market value and the outstanding balance of all liens on the property
- **FAMILIARIZE YOURSELF WITH HOW EQUITY IS DIVIDED IN DIVORCE** in your jurisdiction (community property vs. equitable distribution)

COLLECT THESE DOCUMENTS:

- **PROPERTY DETAIL REPORT** (We can help!)
- **MOST RECENT MORTGAGE STATEMENT** detailing the remaining balance on your mortgage
- **DOCUMENTATION FOR ANY HOME EQUITY LINES OF CREDIT** or second mortgages
- **A COPY OF YOUR PROPERTY'S LATEST TAX ASSESSMENT**
- **RELEVANT LEGAL DOCUMENTS** (deed, title, prenuptial agreements, etc.)
- **GET A COPY OF ANY DOCUMENTS YOU HAVE THAT PROVE** or show that you have a "separate" interest in your marital property (e.g., bank transfer from a premarital account to a joint account for the down payment of your property)

Dividing Home Equity: A Primer

When going through a divorce, there are a few common options to divide property . . .

- Buying out your spouse (often referred to as a "buyout")
- Selling your house
- Co-ownership

BUYOUTS

You or your spouse may choose to keep the home, buying out the other's equity. This is usually accomplished by "refinancing" your existing mortgage so that you can (1) remove your spouse from the existing loan and deed, and (2) use the additional loan proceeds to purchase your spouse's share of their equity. However, there are many other ways to accomplish a buyout, as described later in this document.

SELLING THE HOME

Often considered for its simplicity, selling the home and dividing the proceeds is a straightforward method to liquidate the asset. However, if you go this route, it's important to understand tax considerations and to choose your agent carefully – taking into account things like experience and commission rate.

DO NOTHING FOR NOW

Sometimes spouses include a term in their divorce agreement to "reserve jurisdiction" over their home – meaning, they continue to co-own temporarily with orders in place for how expenses will be paid with a plan to work out a plan at a later date.

CO-OWNERSHIP

Some ex-spouses opt to retain joint ownership post-divorce, deferring the division of equity to a later time. This requires clear terms to prevent future disputes. If you go this route, it's super important to be thoughtful about the terms you include in your marital settlement agreement, as a lot of the same protections you have as a married person do not apply once you are divorced.

Home Equity Division Worksheet

This worksheet is designed to be a helpful starting point in preparing for your home equity division. It doesn't need to be fully completed before meeting with our **HomeSplit** Solution team. Our real estate strategists are here to help you understand what you qualify for based on your unique needs, and help you find the best path forward.

Additionally, our **Certified Divorce Lending Professionals (CDFAs)** will assist you in walking through your qualification possibilities for mortgages or refinancing, ensuring that these financial decisions align with your post-divorce goals, needs, wants, and responsibilities. We're here to provide you with tailored support every step of the way, ensuring that you make the most informed and beneficial decisions regarding your home and future.



Home Equity Division Worksheet

Market Value Assessment

1. Determination of Fair Market Value (FMV):

Professional appraisal:

Date of Appraisal: \$_____

Appraised Value: \$_____

Comparative Market Analysis (CMA):

Tool Used: _____

Date of Analysis: _____

Estimated Value: \$_____

2. Discrepancies and considerations:

Note any significant differences between the various valuation methods:

List any recent market changes or property improvements that might affect valuation:

Equity Calculation Breakdown

1. Mortgages and liens:

Principal Balance: \$_____

Interest Rate: _____%

Monthly Payment: \$_____

Secondary liens (HELOC, second mortgage, etc.)

Type of Lien: _____

Balance: \$_____

Interest Rate: _____%

Home Equity Division Worksheet

Equity

Equity Calculation Breakdown (cont'd)

2. Total calculated equity:

Subtract total debts from FMV to determine equity:

Total Debts: \$_____

Home Equity: \$_____ (FMV - Total Debts)

3. Impact of refinancing or selling:

If refinancing, new estimated mortgage details:

New Balance: \$_____

New Monthly Payment: \$_____

If selling, estimated net proceeds after paying off debts:

Sale Price: \$_____

Closing Costs: \$_____

Net Proceeds: \$_____ (Sale Price - Debts - Closing Costs)

Decision-Making Framework

1. Post-Divorce Financial and Housing Goals:

Outline your key financial objectives following the divorce:

Examples: Build a personal emergency fund. Invest in a retirement account. Maintain a stable budget adjusted for single income.

Describe your housing preferences post-divorce:

Examples: Own another home. Rent a place that is big enough for the kids. Have a residence in the same school district.

Home Equity Division Worksheet

Decision-Making Framework (cont'd)

2. Pros and cons evaluation:

Selling the home:

PROS

Examples: Liquidate assets to split equity fairly. Opportunity to start fresh in a new home. Eliminates the financial ties and ongoing responsibilities associated with the shared property.

CONS

Examples: Potential market fluctuations might not offer the best selling price. Emotional attachment to the family home. Moving and selling costs could be substantial.

Buying Out Ex-Spouse's Equity:

PROS

Examples: Retain the family home and stability, especially beneficial if kids are involved. Control over property decisions and no need to relocate.

CONS

Examples: One party might bear a heavier financial burden post-divorce. Refinancing could be challenging based on one income. The buying spouse might overextend financially to afford the buyout.

Co-Ownning Post-Divorce:

PROS

Example: Allows time to wait for a better market to sell. Shared ongoing costs and responsibilities. Children can continue living in the family home, providing stability.

CONS

Example: Continued financial entanglement with your ex-spouse. Potential conflicts in managing the property or agreeing on future decisions. Complexity in balancing new relationships or life changes while co-owning.

Navigating the Legal Landscape: Your Home and Divorce

While you're navigating decisions relating to your home, remember that understanding your legal rights and options is important. Whether you're consulting Hello Divorce's resources and team or working with another professional, it's important to make sure **your decisions are informed, fair, and tailored to your journey.**

Understanding property division: Community vs. Equitable Distribution

In a **community property state**, assets acquired during the marriage are generally split 50/50, while **equitable distribution states** divide assets based on fairness, which may consider various factors like each spouse's contribution and future needs.

STATE-BY-STATE BREAKDOWN

Community property states: Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, Wisconsin

Equitable distribution states: All other states not listed above, where assets are divided in a manner deemed fair by the court, often resulting in a division that is not exactly equal but is tailored to the specific situation of the divorcing couple.

Learn more about our HomeSplit Solution
[CLICK HERE](#)

Navigating the Legal Landscape: Your Home and Divorce

Key factors that can influence the equity split in equitable distribution states

UNDERSTANDING THE VARIABLES

The split in home equity isn't always straightforward. Factors such as one spouse's career advancement due to the other's support, financial behavior during the marriage, contributions towards the home, health conditions, and the care of children can all influence how equity is divided, aiming for a balance that reflects each party's contributions and needs.

Legal agreements and their impact

NAVIGATING PRE-EXISTING AGREEMENTS

Existing legal agreements like **prenuptial** or **postnuptial** agreements can significantly dictate the terms of the home equity division. These documents may outline specific directions on how assets should be divided, which can override the standard state laws on property division.

Co-ownership and third-party interests

CO-OWNERSHIP COMPLICATIONS

If you're sharing your home's title with someone outside the marriage, brace for a few extra twists and turns. It's like a group project – everyone needs to be on the same page.

Reimbursements, Credits, and Contributions

CLAIMING YOUR SHARE

If you've poured your personal funds (i.e., money from an inheritance) into the family home, whether for down payments or renovations, you may have a claim for reimbursement or a credit.

Another example is when you or your spouse purchased the home before marriage but later converted the property into a joint asset or used earnings during the marriage to pay down the mortgage or make improvements on the house.

Navigating the Legal Landscape: Your Home and Divorce

Crafting your agreement and using experts

TAILORING YOUR SOLUTION

While the law provides guidelines, you and your spouse have the flexibility to create an agreement that feels right for both of you, considering your unique circumstances, future goals, and the needs of your family.

EXPERT GUIDANCE

Remember, you and your soon-to-be ex can tailor an agreement that feels right. Whether it's splitting everything down the middle or coming up with a creative compromise, you're in the driver's seat. Need some guidance? Hello Divorce has your back, with resources and experts ready to lend a hand.

- Lawyers
- Mediators
- Certified Divorce Financial Analysts
- Real Estate Strategists



Create Your Path with a Divorce Real Estate Strategist

WHO ARE OUR HOME ADVISORS?

Think of them as your navigators in the complex journey of divorce-related home decisions. Whether you're pondering selling or keeping your home, they're your go-to experts, offering clarity and compassionate guidance tailored to your unique situation.

STEP 1: Schedule your consultation

A no-cost strategy session to start your journey.

STEP 2: Explore options

Understand the pathways available, tailored to your unique situation.

STEP 3: Make informed decisions

Empowered by expert advice, choose the route that's best for you.



Why Hello Divorce?

- We're about empowering, not pressuring.
- Our advice is unbiased, focusing solely on what's best for you.
- Our innovative solutions are crafted for today's financial challenges, ensuring your family's needs are met.
- We champion transparency, offering insights and options that genuinely fit your reorganizing family's future.

Divorce and Real Estate

Glossary of Terms

Equity

Equity is the difference between the value of your home and what you owe on it. For example, if your home is worth \$400,000 and your mortgage has a balance of \$250,000, you will have \$150,000 in equity. When dividing the value of your marital home in your divorce, equity will be the figure you will use.

Marital assets

Marital assets are anything you and your spouse have acquired during the time you were married. Things you owned before are considered separate assets. During property division, you and your spouse are only required to divide your marital assets. Each of you keeps your own separate assets.

Property division

During the divorce process, both partners are legally entitled to a fair share of their marital property, meaning both their marital assets as well as their debts. Depending on where you live, marital property will be divided according to your state's laws, or you and your spouse can come to an agreement that you consider fair together.

Equitable distribution

States have different ways of determining fair property division in a divorce. Equitable distribution states use many factors to decide what is fair in any given situation. These factors will include what each party has contributed to the marriage, the duration of the marriage, the economic needs of both parties, the ages and health of each partner, and more.

Community property

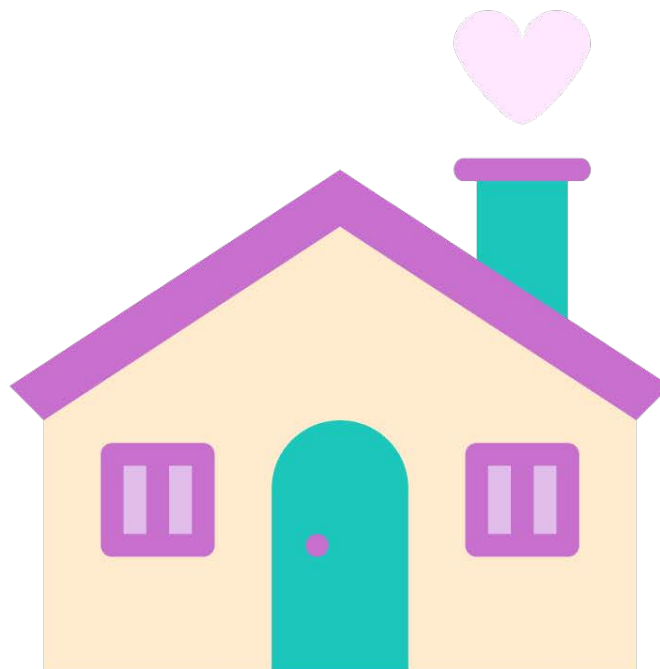
In a community property state, marital property is considered jointly owned and must be divided equally between spouses in a divorce. Only nine states recognize community property laws.

Exploring Your Options: Keeping Your Home

Refinancing isn't your only path

While refinancing is a common go-to for those looking to keep their home after divorce, it's not a one-size-fits-all solution. Market conditions, interest rates, your anticipated post-divorce income, and credit score – all these factors play pivotal roles in determining the best route for you. If you're considering retaining your home, various alternatives might align better with your situation. Dive into the possibilities below, and remember, our real estate strategists are here to delve into these options with you, ensuring you make a choice that best fits your needs and future plans.

Most of these options allow you to access capital from your home so that you can pay your spouse their share of the equity but still stay in and/or keep some or all ownership in your home.



Exploring Your Options: Keeping Your Home

OPTION 1: SALE LEASEBACK

Transform your equity into flexibility

How it works:

Sell your home to a trusted partner and lease it back, maintaining the familiarity of your home with the flexibility to repurchase later.

Features:

- Maintain your family's stability without disrupting routines
- Enjoy freedom from traditional lender requirements, bypassing stringent credit checks and DTI concerns
- Retain potential home value appreciation, staying invested in your property's future



OPTION 2: HOME EQUITY INVESTMENT (HEI)

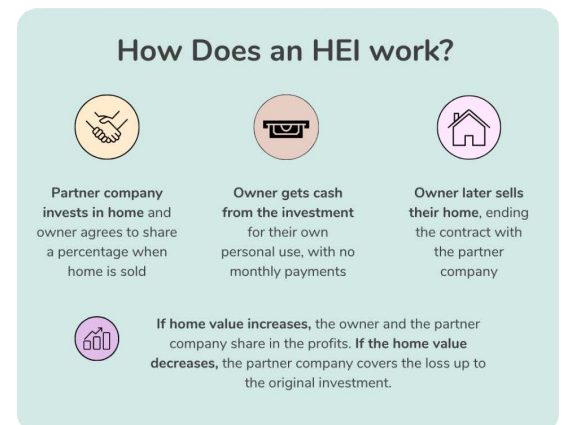
Innovative equity access

How it works:

Receive cash today in exchange for a portion of your home's future value, a creative solution beyond traditional loans.

Features:

- Straightforward approval process, focusing on your home's equity instead of your credit score
- No monthly payments or looming interest rates, offering a stress-free financial cushion
- Accessible to a wide range of homeowners, providing flexibility irrespective of age or credit history



Exploring Your Options: Keeping Your Home

OPTION 3: CASH-OUT REFINANCE

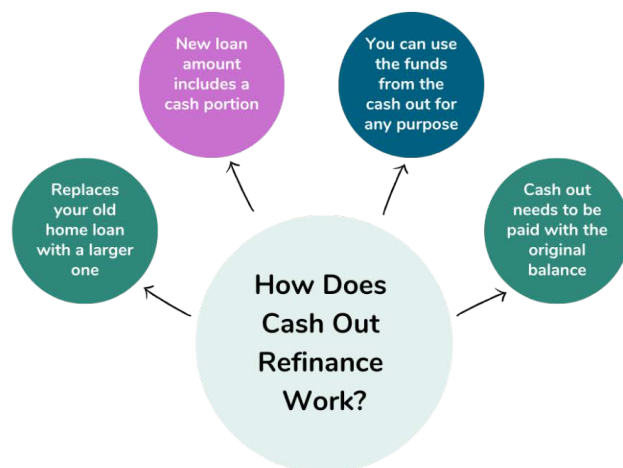
Leverage your equity

How it works:

Refinance your existing mortgage, extracting cash from your home's equity while potentially adjusting your loan terms.

Features:

- Immediate access to cash, enabling you to settle financial obligations or invest in future plans
- Potential changes to your mortgage rate or term, which could align better with your current financial goals
- Consider the extent of equity accessible and how refinancing impacts your financial landscape



OPTION 4: HOME EQUITY LINE OF CREDIT (HELOC)

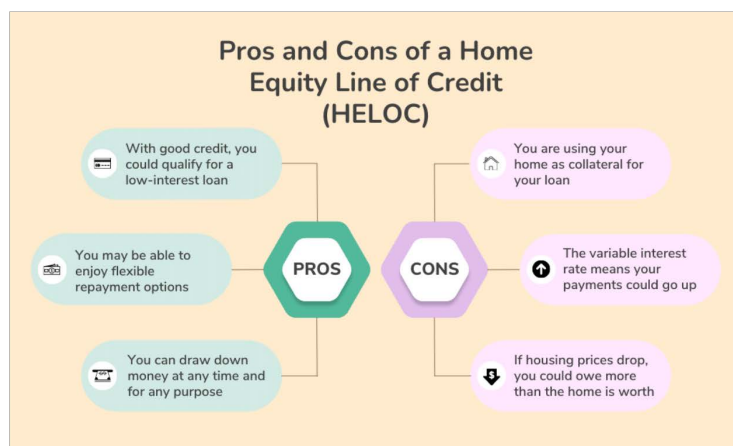
Flexible equity access

How it works:

A revolving credit line secured by your home's equity, offering adaptable withdrawal and repayment terms.

Features:

- Draw funds as needed, paying interest only on what you use, akin to a credit card but secured by your home
- Ideal for ongoing expenses or as a financial safety net, providing peace of mind and flexibility



Exploring Your Options: Keeping Your Home

OPTION 5: HOME EQUITY LOAN

Secured lump-sum financing

How it works:

Borrow a fixed amount against your home's equity, repaid over a set term with predictable monthly payments.



Features:

- Clarity on repayment terms and interest rates, aiding in financial planning and budgeting
- Fixed interest rates ensure consistent payment schedules, safeguarding against market fluctuations

Home Equity Line of Credit

VERSUS

Home Equity Loan

 Money is borrowed as you need it.	 Money is given to you in one lump sum.
Interest rate is generally a lower variable rate.	Interest rate is fixed.
Better for when you are not sure how much you need to borrow or have ongoing expenses.	Better for when you have a specific purpose for the loan.

OPTION 6: PERSONAL LOAN OR CREDIT

CARDS Unsecured borrowing options

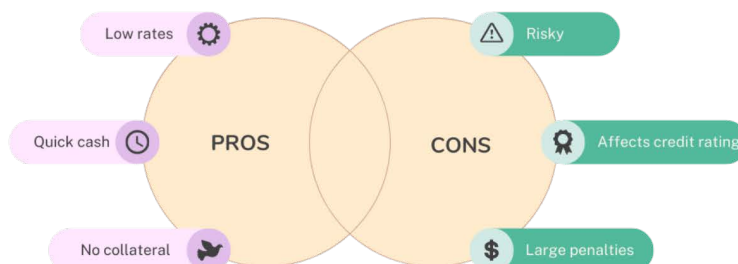
How it works:

While not tied to your home's equity, these options can provide quick funding but often at higher interest rates.

Features:

- Best considered for immediate, short-term needs, ensuring you can manage repayment without compromising your financial stability

The Pros and Cons of Personal Loans



Exploring Your Options: Keeping Your Home

OPTION 7: REVERSE MORTGAGE

Strategic equity release

How it works:

Available to homeowners aged 62 or older, offering immediate funds without monthly mortgage payments.

Benefits:

- Continues home ownership, allowing you to capitalize on your built-up equity.
- Understand the long-term implications, ensuring it aligns with your future living arrangements and estate plans.



OPTION 8: MORTGAGE ASSUMPTION

Understanding mortgage assumption

How it works:

Mortgage assumption allows you to take over the existing mortgage on the home at the current terms. This option can be particularly beneficial if the existing mortgage terms (like the interest rate) are favorable compared to current market conditions.

Considerations:

Not all mortgages are assumable. It primarily depends on your lender and the type of loan. For instance, loans like FHA, USDA, and VA are often assumable, while conventional loans typically are not. It's crucial to check with your mortgage lender or review your mortgage agreement to confirm if your loan is assumable.

Determining eligibility:

You'll generally need to qualify under the lender's criteria, much like you would for a new loan. This means your lender will evaluate your credit score, income, debt-to-income ratio, etc. to ensure you can take over the loan payments.

Benefits:

Assuming a mortgage can avoid closing costs, appraisal fees, and potentially capitalize on an existing low-interest rate.

Which Expert Should You Choose **for Divorce?**

Hello Divorce provides an entire ecosystem of divorce assistance – tailored to support every aspect of your journey. Imagine a world where expert legal advice, financial guidance, real estate strategies, and mediation services all converge in one harmonious platform, streamlined to empower you through this transition and save you money. From drafting pivotal legal documents to finalizing agreements and even filing them, our platform ensures that every piece falls perfectly into place.

And the best part? Embrace the peace of mind that comes with transparent, flat fees, guaranteeing the freedom of comprehensive support paired with the assurance of financial predictability, all under the Hello Divorce umbrella.

Expert:	What they help with:
<u>Lawyer</u> <u>(or Family Law Attorney)</u>	Understand legal rights and obligations • Legal representation in court • Legal advice on divorce proceedings • Drafting and reviewing legal documents
<u>Mediator</u>	Facilitating negotiations between parties • Assisting in reaching mutual agreements • Resolving conflicts amicably without court intervention
<u>Certified Divorce Financial Analyst (CDFA)</u>	Analyzing financial implications of divorce • Providing insights on division of assets • Financial planning for post-divorce life • Evaluating settlement scenarios
<u>Hello Divorce's Real Estate Strategist</u>	Advising on options regarding marital home • Exploring possibilities like refinance, HELOC, or sale • Strategic planning for real estate assets during divorce
<u>Certified Divorce Lending Professional (CDLP)</u>	Guidance on mortgage options post-divorce • Refinancing or acquiring new mortgage • Evaluating impacts of divorce on mortgage qualifications

Creative Ways To Purchase Your Spouse's Equity

When navigating a divorce, deciding how to handle the marital home and its equity is pivotal. If you're considering keeping the home, understanding your options to buy out your spouse's share of equity is crucial. Here are some strategies to consider.

For a detailed exploration, refer to our module "Exploring Your Options: Keeping Your Home Post-Divorce."

1. CO-OWN AND PAY OVER TIME

Instead of an immediate buyout, consider co-owning the property with your ex-spouse and agree on a structured payment plan to buy their equity over time. This option can

BENEFITS

Allows time to adjust financially post-divorce

CONSIDERATIONS

Requires mutual agreement and trust, ongoing communication, and potential legal documentation to outline the terms.

2. OFFSET WITH SPOUSAL SUPPORT

Negotiate an agreement where you offset your spouse's equity share by adjusting spousal support payments, either reducing the amount you pay or waiving it altogether.

BENEFITS

Simplifies the financial transactions and could be tax advantageous.

CONSIDERATIONS

Must be carefully evaluated to ensure fairness and compliance with legal standards.

Creative Ways to Purchase Your Spouse's Equity

3. REFINANCE AND USE ALTERNATIVE ASSETS

Refinancing the mortgage solely in your name can be coupled with utilizing other assets to compensate your spouse for their share of the home equity. For example, you might use savings, investments, or a portion of your retirement account.

BENEFITS

Keeps the home's equity intact and avoids increasing loan amounts.

CONSIDERATIONS

Important to consult with a Certified Divorce Financial Analyst (CDFA) to ensure this move aligns with your long-term financial health.

4. INVOLVE A THIRD PARTY

Engage a family member, friend, or an investor to purchase your spouse's interest in the property. This allows you to co-own with someone you trust, ensuring you can remain in your home.

BENEFITS

Secures the necessary funds for the buyout while allowing you to retain your home.

CONSIDERATIONS

Involves adding another party to your property title, requiring clear terms and agreements to safeguard all parties' interests.

5. GET CREATIVE

Explore innovative arrangements like granting your spouse other marital assets of equivalent value (like stocks, vehicles, or valuable personal property), or consider a promissory note that legally binds you to pay the agreed amount over time.

BENEFITS

Offers flexible solutions tailored to your unique situation.

CONSIDERATIONS

Requires clear, legal documentation and potentially, financial advice to ensure the agreement is sound and equitable.

Divorce and Real Estate

FAQs

Q: Will I get half the equity, or half the value of the home, when I divorce my ex?

A: Not necessarily. Distribution of assets during a divorce does not necessarily mean that things are split evenly. Various factors come into play in determining what percentage of equity you get.

Q: Can I get my equity share before the house is sold?

A: You and your spouse would have to agree to this, or you would have to convince the court to order this.

Q: Does equity get split evenly when the home is sold?

A: If both you and your spouse contributed equal amounts to the house, including the down payment and mortgage payments, the **proceeds may be split 50/50**. If one spouse contributed more or various other factors come into play, however, the proceeds may be divided differently.

Q: What if my spouse refuses to split the equity in the house?

A: If your ex fights you on the equity, legal assistance can help you learn your options. You are entitled to a portion of the proceeds of the sale of the home, and if you've paid the mortgage, that will make a difference in what the court awards you.

Q: How can my spouse and I divide the equity fairly?

A: A **mediator** can help you through the process of ironing out the details of your divorce, such as dividing equity. Using a mediator is much less expensive than hiring a divorce attorney and battling it out in court.

Choose the right Hello Divorce plan

DIY

\$400

Customized Divorce Forms + Instructions

What's Included:

- Hello Divorce software creates your forms
- State-specific instructions for filing your forms with the court
- Unlimited edits and downloads
- Unlimited customer support via email and chat

Pro

\$2,000

Assisted Full Divorce

What's Included:

- A dedicated forms specialist who manages your divorce
- Our team reviews, files, and serves your forms, and keeps you on track with the court
- Unlimited support from your specialist and team via email or chat

Plus

\$4,000

Assisted Full Divorce

What's Included:

- Forms specialist and complete divorce management
- Expert help from lawyers, mediators, divorce finance experts, and coaches (5 hours included with plan)
- Dedicated Divorce Navigator, who will plan and coordinate each part of your divorce.

Compare the benefits of our plans

*hello*divorce.

Benefit	DIY	Pro	Plus
Custom divorce forms via smart software	✓	✓	✓
Unlimited edits + downloads	✓	✓	✓
Unlimited chat + email support	✓	✓	✓
Forms reviewed by a forms specialist	✗	✓	✓
Filing + serving handled for you	✗	✓	✓
Expert services included	✗	✗	✓
Divorce planning session	✗	✗	✓
Divorce Navigator guides your process	✗	✗	✓
Go at Your Own Pace and Avoid Court	✓	✓	✓

Filing fee is not included in any plan because the fees vary by state and county. Expect to pay \$100-\$450 for filing fees depending on your state.