Matrimonial Home Assessment Checklist

FAMILY LAW & EQUITY ASSESSMENT

Structured evaluation matrix for valuation, financing, equity division, and co-parenting impacts

PROPERTY ADDRESS	VALUATION DATE	SPOUSE A / SPOUSE B	FILE / REFERENCE #

1. Property Valuation & Title Verification

- [ ] **Confirm title ownership and matrimonial home status**
  Verify deed/title registration, tenancy structure (Joint Tenancy vs. Tenants-in-Common), and confirm statutory matrimonial home rights for equal possession.

- [ ] **Gather recent mortgage, HELOC, and property tax statements**
  Pull current principal balance statements, interest rate details, loan maturity/renewal dates, secured lines of credit, and municipal tax assessments.

- [ ] **Obtain an objective market valuation or appraisal**
  Commission a formal appraisal from a licensed residential appraiser or agreed-upon neutral real estate specialist rather than relying on automated online estimates.

2. Mortgage & Buyout Feasibility

- [ ] **Test solo mortgage qualification (for a spousal buyout)**
  Evaluate debt-service ratios based strictly on individual solo income, credit score, existing debts, and projected support obligations to pay off the prior loan plus buyout equity.

- [ ] **Check mortgage prepayment penalties and porting options**
  Consult the mortgage lender regarding early discharge penalties, interest rate porting, blended rates, or releasing the departing spouse from covenant.

- [ ] **Stress-test post-separation monthly carrying costs**
  Calculate total post-separation housing expenditures including mortgage principal/interest, property taxes, home insurance, utilities, maintenance, and HOA/condo fees.

APPRAISAL / FAIR VALUE	MORTGAGE BALANCE	HELOC / LIENS	ESTIMATED NET EQUITY

3. Equity, Costs & Tax Check

- [ ] **Calculate net equity and compare buyout vs. open-market sale**
  Account for real estate commission, legal fees, and closing adjustments to compare net proceeds from a public market sale against an internal spousal transfer offset.

- [ ] **Review capital gains, principal residence, and transfer tax rules**
  Confirm tax exemptions or land transfer tax considerations for spousal property transfers, investment usage, or secondary residence designations.

- [ ] **Account for upcoming capital repairs and maintenance**
  Budget for immediate or near-term capital expenditures (roofing, HVAC systems, windows, structural repairs) that diminish real property value.

4. Lifestyle & Co-Parenting Impact

- [ ] **Evaluate school proximity, commute, and parenting routines**
  Assess how retaining or selling the home affects children's schooling, extracurricular continuity, neighborhood stability, and parent-child transit schedules.

- [ ] **Define clear terms if considering a temporary/deferred sale**
  If co-ownership continues temporarily, formalize clear terms regarding expense allocation, routine repair thresholds, occupancy rights, and sale triggers.

- [ ] **Get independent legal advice before signing property agreements**
  Obtain Independent Legal Advice (ILA) from your respective family lawyers prior to executing separation agreements, deeds, or buyout instruments.

STRATEGIC PATHWAY RECOMMENDATION

Based on the assessment above, the preliminary property path is determined to be: **[ ] Spousal Buyout [ ] Immediate Open-Market Sale [ ] Deferred Sale / Co-Ownership Agreement**. Ensure all figures are reconciled with certified tax, legal, and lending advisors prior to agreement execution.

Party / Client Signature & Date

Legal Advisor / Specialist Signature & Date