

GARAGE SALES

Navigating a Divorce Sale

Garage sales can be held because sellers have a lot of clutter, but they can also happen in more sad circumstances, such as deaths and divorces. Divorce sales allow spouses to split their shared assets evenly by selling them off and then divvying up the proceeds.

Here's how to navigate the sticky wickets involved with a divorce sale if you're a seller and if you're a buyer.

SELLERS

Start by sitting down with your spouse to determine together which items you want to sell, which you each want to keep and which you should donate. This is going to take a while and will most likely be emotionally taxing. Try to parcel it out over a number of days to avoid any unnecessary conflict. If you're having trouble working together, consider hiring a mediator or having counsel present for particular-



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ly contentious items. A separation agreement can help you decide on how your assets are divided and should be filed before the divorce becomes final.

Advertising your sale as a divorce sale may entice shop-

pers who are looking for a little bit of everything. Make sure you list your sale in the usual places — in the newspaper, on social media, etc. — and to attract more attention, consider doing it with flair. A Houston woman wrote an ad

enticing shoppers to help “get him out of my life” after “two long years.” Her sale included furniture and tools.

“If you’ve ever been completely screwed over by an ex, please come support my garage sale and help me get

rid of this ... so I can move on with my life,” she wrote, according to news reports. This Texas ad received national attention, we’re just saying.

Many divorces require that property must be distributed equitably, meaning fairly. What it does mean is that it should be divided 50-50. Also, marital property just means something that was acquired during the marriage. It doesn’t matter whose name is on the title or who actually purchased it at the store, if it was purchased during the marriage, it’s probably marital property.

DETERMINING WHAT IS EQUITABLE

When deciding if a division is equitable, the court usually considers things such as the income and property of each spouse at the time of the marriage, how long the marriage lasted, the age and health of each spouse, custody of any children, the loss of inheritance and pension benefits, and the effort of a spouse in the household.

The court usually doesn’t consider who is at fault in the divorce, unless violence of law-breaking is involved. What can affect it is if a spouse has refused to help support the family or spent above the family’s means.

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BUYER’S TIP

Abide By Prices at Divorce Sales

Typically, a divorced couple will sell the matrimonial home and items in it before they finalize the divorce. You can find furniture, appliances, jewelry, vehicles, outdoor goods and other things at divorce sales. Anything the couple acquired together is fair game at a divorce sale. Abide by the prices set at a divorce sale; negotiation may be more than you bargained for. Pun intended.

AD SPACE