

NAVIGATING THE FAMILY HOME IN TEXAS DIVORCE

IMPORTANT CHECKLIST

What Happens to the Family Home in a Texas Divorce?

- 1. Gather Documents** Deeds, mortgages, appraisals, and financial statements. *Notes: Start immediately—organize in a digital folder. Include 3 years of tax returns to trace contributions. Missing docs can delay division by months.*
- 2. Assess Property Type** Determine if community or separate property. *Notes: Use inception of title rule: Pre-marriage purchase = separate. Consult attorney for title search (\$200–\$500). Commingling (e.g., mortgage payments made with income earned during the marriage) may open the door for you to request a reimbursement claim against the separate estate.*
- 3. Get a Professional Appraisal** Ensure accurate home valuation. *Notes: Hire certified appraiser (\$400–\$800 in West Houston). Compare with recent sales in Memorial/River Oaks. Disputes over value lead to 20% longer cases.*
- 4. Explore Options** Discuss selling, refinancing, or buyout. *Notes: Run numbers: Sell = 6% commissions; Refinance = closing costs 2–5%; Buyout = owelty lien possible. Mediation saves 50% vs. court.*
- 5. Consider Children & Finances** Prioritize stability and affordability. *Notes: Kids in top schools (e.g., St. Johns)? Court favors primary parent staying. Budget: HOAs + taxes in Tanglewood = \$20K+/yr. Stress-test solo mortgage.*
- 6. Negotiate or Litigate** Aim for agreement; prepare for court. *Notes: 85% settle via mediation (\$3K–\$5K total). Court = 6–12 months, \$15K+. Fault (adultery) can sway "just and right" division.*
- 7. Update Titles & Mortgages** Follow decree within 30 days. *Notes: Refinance deadline in decree—miss it, face penalties. Update homeowners insurance + will. Lender pre-approval takes 2–4 weeks.*

[Contact Kristin Kline today!](#)