

Dividing Your Household Contents During a Divorce

Going through the breakdown of a relationship is emotionally difficult for all involved. Various stages in the process affect parties differently. One particular stage that can be challenging is working out 'who keeps what' from the family home.

Often there are a lot of memories tied up in personal effects and, whilst you may have ill feelings towards the other during this time, these items can bring back some wonderful memories.

Who keeps what?

The default position is normally that each person will retain the contents and personal belongings in their possession at the time. In most cases this will make practical sense for smaller day or day items and in some cases vehicles. However, if it is the case that one party has left the family home with nothing more than a suitcase, as can sometimes be the case, this position does not seem fair.

The court, and your solicitor, need not be involved in these discussions. The parties are free to agree an arrangement between themselves as they see fit. However, do keep a record of what has been agreed and share this with your solicitor as you may need to refer back to this at a later date.

If you are unable to reach an agreement, then do consider whether this may be a suitable discussion for mediation and/or whether you need input from your solicitor.

Practical Tips for Dividing House Contents

Discussions regarding how the contents of the family home should be divided should take place as early as possible. This helps the parties plan their next steps and also avoids any confusion or difficult discussions on the subject at a later date. Prepare a full list of each item within the house and agree this with the other party before you discuss how the assets should be divided. This should be a joint effort, where possible, to ensure all items are properly captured and nothing is missed. You may find it easier to take photographs as this can help with identifying the items. If circumstances allow, sit down and have a discussion regarding the assets that you would like to keep. This provides an opportunity for you to explain the reason behind your decisions. Often some items that would seem meaningless to one person can have a lot of sentimental value to another person. Consider what you need for the future. Whilst it can sometimes feel easier to offer everything to the other person to avoid having the conversation or potentially argument at all, you need to think about your future. If you plan to move into a new property this will need to be furnished and this can be very expensive. Even if you see items such as beds, mattresses, sofas etc. as a short-term items that you will replace, it can be particularly helpful to have these items when you are 'finding your feet'.

If you would like any further information regarding the above or would like to book an appointment, please do not hesitate to contact the Family Law Department on 01384371622 or email post@wjclaw.co.uk and we will be more than happy to assist you.
