

WHEN HOME IS PART OF THE CHANGE

THE MINNESOTA DIVORCE & REAL ESTATE GUIDE

Calm guidance for buying,
selling, or deciding what
comes next

FREE GUIDE



YOUR NEXT CHAPTER
STARTS WITH A
THOUGHTFUL PLAN.



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Brokered by Fathom Realty MN, LLC

Home decisions during divorce

A home can represent security, memories, finances, and the shape of everyday life. You do not need to solve every question at once. This guide helps you organize the real-estate part of the transition, one thoughtful step at a time.

The goal is not to rush a decision. It is to create enough clarity that the next decision feels manageable.

Before signing real-estate paperwork

- List every real-estate interest held by either spouse, together or separately, even if it was acquired before the marriage or is outside Minnesota.
- Ask a Minnesota family-law attorney how a sale, buyout, refinance, deed transfer, or new purchase may affect your case.
- Bring the mortgage, title, tax, insurance, and property information into one organized file.
- Agree on safe, respectful communication channels for showings, offers, deadlines, and documents.

A Minnesota-specific caution

Minnesota Courts strongly encourages people with real estate to speak with an attorney before signing divorce forms. Minnesota law also generally requires both spouses to sign a conveyance of the marital homestead. Your attorney and title professional can confirm what is required in your situation.

Three possible paths for the home

The right path depends on affordability, timing, legal agreements, the mortgage, the condition of the home, and what matters most to each household.

1

Sell the home

Convert the property to cash, pay selling costs and liens, and distribute net proceeds according to a written agreement or court order.

2

One person keeps it

Explore value, equity, a possible buyout, title transfer, and a workable plan for the existing mortgage or new financing.

3

Hold it temporarily

Delay a sale for an agreed period while defining occupancy, payments, repairs, access, future sale terms, and risk in writing.

Questions that help create direction

- What is the home's likely market value and estimated net equity?
- Can either person comfortably qualify for and carry the home alone?
- What repairs or deferred maintenance may affect value or timing?
- Is there a legal deadline or temporary order affecting the property?
- How important are school schedules, pets, moving dates, or continuity for children?
- What written process will be used when a decision or signature is needed?

A market analysis answers a real-estate question: what buyers may pay today. It does not decide how equity should be divided.

Selling with less stress

A clear plan can keep the home sale focused on the property, the market, and documented decisions - not the history between the sellers.

Create a written decision plan

- List price and price-change authority
- Repairs, staging, and spending limits
- Showing notice and access to the home
- How offers and feedback will be shared
- Who may accept, reject, or counter
- Closing date and moving responsibilities
- How proceeds will be held or distributed

Build a shared net sheet

- Expected sale price
- Mortgage and lien payoffs
- Repairs or seller concessions
- Closing costs and commissions
- Estimated net proceeds

Make communication easier

- Use one agreed email thread or shared update.
- Keep market feedback factual and concise.
- Set response deadlines before offers arrive.
- Ask attorneys to resolve legal disputes; keep the agent focused on the sale.
- Tell the team about privacy or safety needs early.

Buying your next home

Buying during or after divorce is possible, but timing matters. Coordinate with your attorney and lender before signing a purchase agreement or moving marital funds.

1

Start with a private financing conversation

A lender can review credit, income, debts, cash available, support obligations or income, and any continuing responsibility for the current mortgage.

2

Confirm what happens to the existing mortgage

A divorce decree may assign responsibility between former spouses, but it does not automatically remove a borrower's contractual liability to the lender. Ask about refinance, assumption, sale, or other approved options.

3

Choose a payment that supports the next chapter

Plan for the full monthly cost - principal, interest, taxes, insurance, association dues, maintenance, and a reserve for the unexpected.

4

Search for the life you are building

Prioritize location, commute, school routines, accessibility, privacy, pets, and the amount of upkeep you genuinely want.

When you are ready to explore preapproval, visit
hilmortgage.com/partners/amy-barysch.

Documents and decisions to gather

You may not need every item. Collect what applies and let your attorney, lender, title professional, and real-estate agent tell you what else is required.

PROPERTY

- Current deed and exact legal description
- Most recent mortgage and home-equity statements
- Property-tax and homeowners-insurance information
- HOA documents, if applicable
- Repair, improvement, warranty, and permit records

DIVORCE PROCESS

- Temporary orders, signed agreements, or final decree
- Written terms about occupancy, sale, buyout, or proceeds
- Attorney contact information
- Agreed communication and signature process

FINANCING

- Photo ID and recent income documents
- Bank and asset statements
- Debt and credit information
- Support orders or payment history if requested
- Current housing and mortgage obligations

A simple first-week plan

1. Gather the core property and mortgage documents.
2. Ask your attorney which real-estate actions are appropriate now.
3. Request a market analysis and estimated net sheet.
4. If buying again is part of the plan, schedule a confidential lender conversation.

Questions for your professional team

Bring the questions that fit your circumstances. Good decisions often begin with the right conversation.

FOR YOUR ATTORNEY

- Can we list, sell, buy, refinance, or transfer title now?
- Who must approve price, repairs, offers, and closing terms?
- How should proceeds or a buyout be handled?
- Could a new purchase affect property division or court orders?

FOR YOUR LENDER OR SERVICER

- Who is legally liable on the current mortgage?
- Is refinance, assumption, release of liability, or another option available?
- What documents are needed for a new preapproval?
- How will support and existing housing obligations be evaluated?

FOR YOUR REAL-ESTATE AGENT

- What is the likely value and estimated net?
- Which repairs are worth considering before sale?
- How will updates, showings, feedback, and offers be communicated?
- What timing protects the move and the next housing plan?

FOR YOUR TAX OR TITLE PROFESSIONAL

- What deed or closing documents may be required?
- Are there tax consequences to a sale, transfer, or buyout?
- How will liens, payoffs, and proceeds be handled?
- Whose signatures will be needed at closing?

Trusted resources and a private conversation

This guide is educational and does not replace advice from a Minnesota attorney, tax professional, mortgage professional, or title professional.

Minnesota Judicial Branch - Divorce Help

mncourts.gov/help-topics/divorce

Minnesota Court Forms

mncourts.gov/getforms/divorce-dissolution

CFPB - Mortgage Help After Divorce

consumerfinance.gov

IRS Publication 523 - Selling Your Home

irs.gov/publications/p523

**You deserve a real-estate plan that feels clear,
respectful, and manageable.**

For a confidential real-estate conversation:

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amybsrealty.com

Financing is offered separately through Hiler Mortgage, LLC, NMLS #2817074. All loans are subject to credit approval. Amy B's Realty and Fathom Realty MN, LLC do not make mortgage-credit decisions.