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SELLING PROPERTY DURING A DIVORCE

REAL PROPERTY IS ONE OF THE MOST IMPORTANT ASSETS TO BE DIVIDED IN A DIVORCE. LIKE EVERY OTHER STATE, TEXAS HAS ITS OWN SPECIFIC RULES AND REGULATIONS WITH RESPECT TO DIVORCE PROCEEDINGS. HERE ARE SOME TIPS THAT WILL HELP YOU NAVIGATE A DIVORCE TRANSACTION.



- + **Legal separation does not exist in Texas.** You are legally married until a final decree of divorce is entered by the court.
- + **The divorce does not have to be finalized before closing,** if the parties work together.
- + **Property can be characterized as SEPARATE or COMMUNITY** and is divided accordingly.
- + **Spouses will have to work together** to sign settlement documents.
- + **Deeds between spouses that are signed prior to a final decree of divorce are invalid,** even if required as part of a settlement agreement.
- + **Simply because a provision is in a settlement agreement does not mean we will be able to accept it.**
- + **We can divide proceeds in many ways,** as long as the parties agree to it in writing.
- + **Parties do not have to settle at the same time.** We can schedule different signings for each spouse.
- + **Texas is a community property state,** therefore even if an individual purchased the property when they were single and subsequently were married, the property can be considered community even if a party is not added to the deed.