

Divorcing husband, but letting his parents stay in house



Dear Property Guy

By Mike Zoormajian

Dear Property Guy:
My husband and I are getting an amicable divorce. No attorney. We have two houses, which are the problem. One house is our primary residence, his parents live rent-free in the other.
The intent is for him to cash me out of the primary residence so our daughter and I can continue to live there. But he can't afford to do that with the house that his parents are in. I adore his parents, and we'd like to keep the other house together so his parents can continue to live there. When they move, we would split the money. How would you suggest we structure this to ensure that his parents have a secure residence?
— Big D PDX

Dear Big D:
I need to start with a note to our gentle readers: All the questions here are real. I can't make this stuff up. Being Property Guy often involves relationship counseling.
OK, I'm back. I'm seeing a few red flags here: divorce, in-laws, money, kids, and real estate. While things are smooth now, any one of these has the potential to go nuclear in the future.
For the primary residence, spend a few hundo on a certified residential appraiser. This will eliminate any current or futures questions as to the value. In more volatile divorces, it is not uncommon for each party to hire their own appraiser. Your husband buying you out should not trigger any taxable events, but definitely consult your CPA.
You are super-kind to want to help your husband's parents. But keeping a second house jointly has train-wreck written all over it, with so many ways that things could go wrong. While a house is generally an appreciating asset. It requires time, attention, and sometimes costly maintenance. Think through how you will handle the house needing a new roof, or

when a pipe bursts. My best advice is to forget the whole thing, sell the house, split the money, and help the parents find a smaller place to live. Anything else is just asking for future drama.
I did consult one of my smart lawyer friends and he thought this was a crazy idea as well. But he could imagine a scenario where you both put the house into an LLC as partners, signed a long-term lease at minimal cost with the parents, and hired a management company. You would need to work through such things as: how taxes are handled, how maintenance will be performed and paid, as well as the disposition of property after the parents leave. But that's what attorney's billable hours are for. Good luck!
— Mike

Mike Zoormajian is principal at WetDog Properties in Sisters, OR. Providing local property management and investor services. Questions, comments to: letters@wetdogpnw.com.
Free legal advice is worth what you pay for it. Consult a real attorney before doing anything crazy.

ARRESTS: Man allegedly fired pistol more than once

Continued from page 1

Deschutes County Sheriff's Office deputies, Black Butte Ranch Police officers and Oregon State Police troopers responded to the area and began searching for the suspect, who had fled the area.
About an hour after the incident, a DCSO deputy located the suspect on Highway 126 near milepost 102. Law enforcement conducted a high-risk traffic stop and detained Justin Richard Swope, 41, of Terrebonne without further incident. Highway 126 was briefly closed during the traffic stop.
DCSO reports that an investigation determined that the dispute between Swope and the victim had been ongoing for several days via phone and text messages. The cause of the dispute is being withheld for further investigation.
Swope is the owner of a Central Oregon landscaping company and the victim was a previous employee of the company. According to a DCSO report, Swope drove to the victim's Sisters campground in an attempt

to end the dispute. Swope arrived at the campground with his brother, Jonathan Paul Stark, 37, of Sisters. When they arrived, a physical fight between Swope and the victim ensued. During the fight, Stark allegedly began damaging the victim's truck with a wooden tool.
At one point during the fight, DCSO reports, Swope introduced a pistol and fired it more than once. No one was struck or injured by the gunfire. Swope and Stark then fled in Swope's black Ford truck toward Sisters. The sheriff's office states that they hid the pistol on Stark's property before Swope was stopped by law enforcement on Highway 126. However, DCSO reports that deputies later recovered the pistol and other weapons used. Alcohol and controlled substances do not appear to be a factor in the incident, DCSO reports.
Swope was lodged in the Deschutes County Sheriff's Jail on charges of Assault IV, Felon in Possession of a Firearm, Unlawful Use of a Weapons, and Disorderly Conduct II.
Stark was cited in lieu of custody for Criminal Mischief II and released with a court date.

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Erika Bartorelli
Broker
erika.bartorelli@cascadesir.com
541.527.6115

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