

How to handle mortgage payments and title transfer after a divorce

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Tribune Content Agency

Q: I have been divorced for eight years. My ex-spouse still lives in the house we both own. I was OK with it for a long time, but now my ex-spouse is out of work and can't pay the mortgage. And, of course, both our names are still on the mortgage.

In our divorce agreement, we both agreed that he would be allowed to stay in the house for a year. After the year, we would sell the house and split the money. He can't seem to move, and I don't want to take him to court. I'm willing to have him keep the house. I just want to pay off the mortgage and get my name off of it, as it is the only thing keeping us in contact.

If I pay the loan off (the balance is less than \$5,000), will that release me from all responsibility regarding the mortgage, deed, property taxes, etc. if he still lives there?

A: You're kind to let him keep the house and even put more money into the pot well beyond what is called for in your divorce settlement.

Here's the good news: You're right. If you pay off the mortgage, you will end up no longer having any responsibility relating to a loan on the home. But you'll still need to give your ex-spouse title to your share of the home. As you are both still owners on the home, you'd want to convey your ownership interest to him.

Once you no longer have a loan on the property and you no longer have an ownership interest in the home, you'd be free and clear of any responsibility relating to the home.

You can order a payoff letter (also called a demand letter) from the lender and send the lender the exact amount owed on the loan by the date required under the payoff letter. Once you've done that, you'll be done with the loan. Simply call the number on your mortgage statement and order the payoff letter. Follow the instruction on the payoff letter to make sure that the lender gets the right amount by the right date.

Once you take care of the lender -- and you can take care of the lender and the title to the home at the same time -- you can have a quitclaim deed prepared conveying your interest in the home to your ex-spouse. You can take it

a step further by recording or filing that quitclaim deed with the local office where the home is located that handles property records. Recording the quitclaim deed puts the world on notice that you no longer have anything to do with the property.

With the deed recorded and the loan paid off, you should, in theory, be done with any responsibility relating to the home.

If there are other liens on the home or other issues that relate to the home that came up during your ownership, you could still have some responsibility for those issues. However, those issues are usually rare. For example, if someone tripped and fell on the property while you owned it, the insurance carrier you had while you owned the home would cover that claim, but the person that sued would have sued you and your ex-spouse. You would have been sued as an owner of the home.

As you approach this issue, you might want to make sure that you do a little digging to make sure there are no unexpected surprises once you put money into paying off the loan and transferring ownership of the home to your ex-spouse. Good luck.

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SIMPSON ROAD DRYLAND WHEAT FARM - Umatilla County, Pendleton, Oregon-316.32 acres at the junction of Stage Gulch and Simpson Road in dryland wheat production. In 2017, the Seller produced 97 bushels per acre. **\$270,000. RG#02917**



REDUCED - ELKHORN MOUNTAIN GETAWAY RANCH - BAKER COUNTY/BAKER CITY, OR - 230 +/- acres timber parcel located between Rock Creek and Muddy Creek. Adjacent to ODFW area at the base of the Elkhorn Mountains. Buildable. Located 8 mi West of Haines. **\$229,000 RG#00717**

DOUBLE BAR F RANCH - MALHEUR COUNTY, ONTARIO, OR - 115 acres, 66 acres irrigated. Pond, 2,500 sq. ft. home, and outbuildings. Wildlife, views, 6 miles from Ontario. **\$550,000. RG#01915**

BAKER VALLEY RANCH - BAKER COUNTY, HAINES, OR - 88.98 acres nestled at the base of the Elkhorn Mountains. This picturesque property has a large main house, several outbuildings, hay/livestock barn and cattle working facility. The remainder of the property is a beautiful irrigated grass pasture which has been used for hay production and livestock grazing. Call Travis or Blake 541-278-4444. **\$549,000. RG#03116**

SHADOW RANCH - GRANT COUNTY, JOHN DAY, OR - REDUCED - 168.6 acres. 4 irrigated ac. fenced into 4 pastures. Home, shop, horse barn and shed, riding arena. Abundant with wildlife and excellent shed antler hunting. **\$525,000. RG#01017**

TIN PAN MEADOWS UMATILLA COUNTY, WESTON, OR - Investment opportunity. 102 +/- forested acres off of Hwy 204 south of Walla Walla. 65 acres are zoned FR (Forest Residential) which allows for the development of 5 acre tracts. Power to the property and a good well. Lots of wildlife. May be suitable for a conservation easement. WMU 54. **\$525,000. RG#02416**

OLD RATTRAY RANCH WEST - GILLIAM COUNTY, CONDON, OR - 39.75 total acres. Property consisting of 612.27 acres of range, 229.52 acres currently in wheat production, and 97.96 acres of CRP. Abundant deer and upland birds with occasional elk. **\$385,979. RG#02516**

Pilot Rock Irrigated Acres, Umatilla County, Pilot Rock, OR - REDUCED - 76 +/- deeded ac / East Birch Creek running through the property. 63.3 acres containing water rights. 27 ac alfalfa and grass mix and 37 ac wheat hay. Irrigated with 3 wheel lines & sub-irrigation. 40'x46' metal shop, equipment yard and 2 wells. Buildable lot within the city limits. **\$385,000. RG#01517**

HAWKINS PARCEL 1 - Umatilla County, Pendleton, OR-11.6 acres of dryland pasture, 7 miles NW of Pendleton. 3 bedroom, 1 bath home with laundry area and deck. Large shop with multiple large overhead doors and living quarters. **\$385,000. RG#02817**

SADDLE MOUNTAIN CRP FARM - UMATILLA COUNTY, MILTON-FREEWATER, OR - 287.30 ac with 143.09 ac in CRP. Multiple developed springs, buildable home site, LOP tags for Walla Walla Unit. **\$350,000. RG#01617**

STEVENSON FARM #1 - UMATILLA COUNTY/PENDLETON, OR - Development potential on this 76.37 acre parcel. Zoned to allow the creation of 4ea nine acre lots with 40+ acres of river bottom remaining for recreation. **\$350,000. RG#02415**

MISSOURI GULCH DRYLAND WHEAT/CRP FARM - REDUCED - 394.73 total acres of which 172 acres are enrolled in CRP through 2022 with balance of acres in production. The farm is located in the Missouri Gulch area, northwest of Pendleton. Clean farm. Production records available. **\$335,525. RG#02914**

BIG BUTTERCREEK CRP - MORROW COUNTY/ECHO, OR - CRP income property. 186.9 acres of land with 157.7 acres of CRP. Annual CRP payment of \$10,992 with power and well located on the property. CRP contract runs through 2020. The balance of the property is range pasture. **\$295,000. #RG03515**

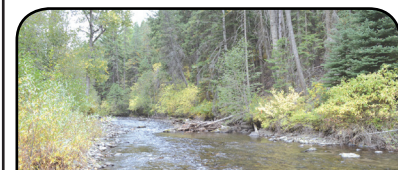
SKEELS PROPERTY - UNION COUNTY, UNION, OR - Secluded buildable 80 +/- acres near Tollgate and the Spout Springs Ski Resort. Mixed timbered and open parcel on the breaks of Lookingglass Creek. Forest Road access is seasonal. Bordered on 2 sides by Umatilla National Forest. Great view property. WMU 56. **\$290,000. RG#02316**

BALLARD CREEK - BAKER COUNTY/OXBOW, OR - 160 acres hunters paradise surrounded by BLM xand NF 3 sides. Good water and timber. Zoned timber/grazing. **\$160,000. #RG01916**

RECREATIONAL JOHN DAY RIVER FRONTAGE PROPERTY - SHERMAN COUNTY, WASCO, OR - SOLD - An opportunity to have a 37.5% shared undivided interest in 192 acres along the J River. Located near Wasco, OR. This property offers a variety of leisure opportunities such as hunting, exceptional fishing, rafting, hiking, and family fun. **\$85,000. #RG02816**



KENNEWICK HORSE PROPERTY - BENTON COUNTY, KENNEWICK, WA - 6.29 acres with an indoor arena, horse barn, shop, with a new 2,254 square feet of home, built in 2009 with too many amenities to list. A must see! **\$625,000. RG#02916**



THE CATHERINE CREEK PROPERTY - UNION COUNTY, UNION, OR - 325.97 +/- acres. Timber parcel with 1/2 mile of Catherine Creek. 1 mm BF timber per 2010 cruise. Adjacent to USFS. Downstream from wilderness access area. 11 mi south of Union. **\$499,000. RG#02614**

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