

New York Divorce and Family Law Blog

Divorce Real Estate Agents: A New Specialty

Posted by [Daniel Clement](#) on January 20, 2011

The sale of a home is always a tension inducing experience. If the transaction is incident to a divorce, the tension increases exponentially.

Disagreements can arise over a multitude of issues, including the selection of a broker, setting and negotiating the sale price, apportioning responsibility and the costs of preparing the property for sale and, of course, distributing the sale proceeds. Any one of these issues can erupt aborting the sale.

Well crafted settlement agreements address these issues, in detail, in an attempt to preempt disputes. But, in reality, if a dispute arises, by the time a court rules on one party's breach of contract, the buyer will have walked away from the deal.

[Sara Lerner](#) of [NPR](#) reports that there is a new breed of real estate agent, specializing in sale of homes owned by divorcing couples. "Really it's a simple, singular goal, and that's to, as efficiently as possible, get to the end of the road, which is the sale of their home."

One broker reports his strategy is:

"I never try to force them to communicate together, which means a

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lot of separate and duplicate communication, so that neither ever has the impression that I'm trying to force the agenda of one on the other..

My role at that point, when someone needs to get something off their chest, is simply to let that happen. Because if people aren't able to express themselves, then it causes frustration," he says. "And the last thing that I need is for a husband or a wife to be frustrated with me because they are perceiving that I'm not ... that I don't get it."

Even though both parties' interests should be aligned in selling the marital home so that they could "cash out" and move on, selfish desires or just the need to assert control over the other, often prevent the parties from acting in concert. Any real estate broker who is willing to enter fray and bring the adversarial parties together to facilitate a sale deserves his commission.