

DIVORCE ATTORNEY REAL PROPERTY CLIENT PACKET



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WELCOME

Thank you for your interest in our specialized real estate services designed to assist your clients through the complexities of property transactions during divorce. This digital packet mirrors the thoughtful curation of resources we provide in our physical packets, ensuring you have immediate access to critical information that can enhance the counsel you provide.

Within this packet, you will find:

- An introductory letter that delves into the synergy between our services and the value it adds to your practice.
- Our meticulously crafted Divorce Real Estate Brochure, which is a valuable tool for your clients. It addresses the top concerns and questions that arise when real estate intersects with divorce proceedings.
- Heartfelt testimonials from divorce clients who have benefited from our comprehensive support and expertise.
- Two insightful case studies: “Navigating Post Occupancy Challenges In a Divorce Driven Home Sale” and “Collaborative Resolution in a Divorce Driven Home Sale,” exemplify our approach to resolving real estate challenges with finesse and care.

We understand that in-person interactions may not always be possible, and we strive to make our resources as accessible as possible. This packet is a digital embodiment of our commitment to providing exceptional real estate guidance during times of transition.

Dear Counsel,

I hope this letter finds you well. My name is Robert Passafiume, and I am an award-winning Real Estate expert with 22 years of experience in the Denver Metro area. I am part of the Metrowest Team at REAL Broker and I specialize in a diverse range of real estate services, from loan origination, title work, and foreclosures to residential sales.

I understand that divorce is a challenging period for your clients, not only emotionally but also financially. One major concern often involves the division and disposition of real property, an issue that requires specialized expertise. This is where I can add significant value.

As a Certified Divorce Specialist, I am adept at navigating the complexities of real estate transactions within the scope of family law. Over the last three years alone, I have successfully handled half a dozen divorce cases involving real property. My experience ensures that the process is handled discreetly, efficiently, and in the best financial interest of your clients. I have over 40 hours of Divorce specific training and I am required to take a minimum of 10 hours of Continuous Education every two years, specific to Divorce to maintain that designation. So, you know your clients will be working with an experienced professional.

I would like to express my keen interest in partnering with you and your esteemed practice. My extensive network of high-performing mortgage brokers, direct lenders, and contractors can also offer additional value to your clients. I am confident that my services would complement your legal expertise, resulting in a more comprehensive support system for your clients.

Additionally, I believe in a mutually beneficial relationship and would be pleased to refer clients in need of family law services to your practice. I appreciate the weight of a recommendation in our respective fields, and I assure you, any clients referred by me will be in excellent hands.

I hope to discuss this potential partnership with you further. I am available at your convenience to meet for a brief chat or to talk over the phone. Thank you for considering this partnership. I look forward to the opportunity to work together for the benefit of our clients.

Best regards,

Robert Passafiume
E: rpassafiume@metrowestres.com
P: 303-809-7694
Realtor – Certified Divorce Specialist
Denver Real Estate Guru

DIVORCE CLIENT TESTIMONIAL



My experience with Robert could not have been better. From our first meeting, I felt very comfortable with Robert. When he arrived at my house he had a notebook with all the sale information and was very knowledgeable with his explanation of what the process would be, and what I would need to do before the sale process. Robert put me at ease through the whole process. He even came over on a weekend with a chainsaw and cut up a large tree limb for me that had fallen from heavy winds. I would definitely recommend Robert Passafiume if you need an agent to make your sale as seamless as possible. Robert goes the extra mile.

-Steven S

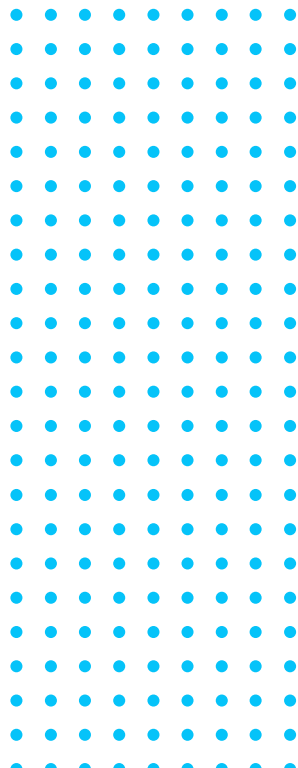


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DIVORCE CLIENT TESTIMONIAL



Working with Robert was such a pleasure. My circumstance was a little unique, however, I trusted that Robert would respect each and every party that was involved. He was very professional and was able to help me navigate the process while being respectful and well as the MOST professional. I felt at ease knowing he was the one handling a very delicate situation. Robert made sure to explain the entire process, what I could expect, and when to expect it. I never felt lost or confused. I would HIGHLY recommend Robert for your Realtor needs. His professionalism is extraordinary!!!

Robyn N



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Background:

Selling a property under the complexities of a divorce often presents unique challenges, both logistical and emotional. This case study provides insights into managing a post-occupancy scenario, emphasizing the importance of empathy, diplomacy, and swift action in the real estate process.

Client Profile:

Sellers: A divorcing couple with the wife still residing in the home and the husband relocated to Detroit. The property in question had deep emotional significance for the wife as it was initially purchased with her deceased first husband.

Property: A residential property located in Thornton, Colorado.

Challenge: Ensure a smooth transition and handover of the property to the new buyers amidst sensitive post-occupancy complications.

Situation Overview:

The agreed-upon sales contract included a 3-day post-occupancy period, allowing the seller to vacate and ensure professional cleaning of the home. However, an unexpected delay in the seller's move, combined with the presence of her pets, led to complications after the post-occupancy period had concluded.

Action Steps:

1. **Immediate Assessment:** On discovering the seller still occupied the property beyond the agreed period, I assessed the situation to address the concerns of both the seller and the buyers.
2. **Clear Communication:** Informed the seller about the implications of overstaying, particularly the financial consequences tied to the post-occupancy deposit diminishing at a rate of \$100 per day.
3. **Coordination:** Leveraged my professional network to swiftly schedule a Junk Removal service. By being physically present during this service, I could mediate between the seller and the buyers, ensuring a smooth process.
4. **Conflict Resolution:** Employed diplomacy and understanding to keep both parties calm, enabling the seller to guide the junk removal process and allowing the buyers to proceed with their move.

Results:

Timely Resolution: Managed to facilitate the seller's complete move-out within the specified timeline, ensuring the property was ready for the buyers.

Restored Cleanliness: Coordinated re-cleaning of the property, specifically the floors, to maintain the home's pristine condition.

Stakeholder Satisfaction: Successfully addressed the concerns of both parties, leading to a satisfactory conclusion for all involved.

Conclusion:

The intricacies of selling a home under emotional and logistical strain highlight the need for a real estate expert who can act swiftly, communicate effectively, and mediate conflicts. By prioritizing the needs and concerns of both the seller and buyers, I was able to navigate this challenging scenario with tact, resulting in a win-win outcome for all parties involved.

**Note: This case study serves as a testament to the importance of a holistic approach in real estate transactions, especially when faced with complex situations. It underscores the value of empathy, diplomacy, and proactive action in ensuring successful outcomes. **

Background:

This case study focuses on a property in Westminster, Colorado, owned by a divorcing couple. The unique circumstances presented challenges that required not only real estate expertise but also a nuanced understanding of the emotional and financial complexities involved in divorce situations.

Client Profile:

Sellers: A divorcing couple with the husband residing in the home and the wife living elsewhere.

Property: A residential property in Westminster, Colorado.

Challenge: Selling a property in the midst of a divorce, compounded by significant safety concerns regarding the home's furnace.

Situation Overview:

During the listing process, an issue with the property's furnace was uncovered, posing a significant challenge to the sale. A licensed professional from SRT HVAC determined that the furnace was a safety hazard due to a broken heat exchanger and improperly installed gas line, raising concerns about potential gas leakage and explosion risks. This assessment necessitated immediate action and full disclosure to potential buyers.

Action Steps:

1. Safety and Compliance Assessment: A thorough evaluation by an HVAC professional identified critical safety issues with the furnace.
2. Client Communication: Informed the clients about the severity of the situation, emphasizing the need for immediate repairs and the importance of disclosure to potential buyers.
3. Disclosure Documentation: Updated the seller's property disclosure with the identified defects, ensuring transparency and compliance with legal obligations.
4. Resource Coordination: Utilized my extensive network of professionals to find a cost-effective and timely solution. Arranged for the necessary repairs through a trusted contractor.
5. Financial Arrangement: Recognizing the financial constraints of the divorcing couple, I negotiated with the contractor to defer payment until the closing of the property, alleviating the immediate financial burden on the clients.

Results:

Safety and Compliance: The furnace and gas line were replaced, ensuring the safety of the property and compliance with legal standards.

Client Satisfaction: Both parties were relieved and satisfied with the prompt resolution of the issue without any upfront financial burden.

Sale Readiness: The property was successfully prepared for sale, with all necessary disclosures and repairs in place.

Conclusion:

This case exemplifies the importance of professional diligence, ethical responsibility, and empathetic client management, particularly in complex scenarios like divorce-driven property sales. By leveraging professional expertise and a robust network of contractors, we ensured the safety of the property, compliance with legal standards, and client satisfaction, ultimately facilitating a smooth transaction under challenging circumstances.

***Note: This case study is provided as a resource for legal professionals. It illustrates the importance of comprehensive service, ethical practices, and the value of collaboration in the real estate industry.*



Navigating the complexities of divorce is challenging enough without the added stress of dividing real estate assets. As a seasoned Real Estate expert with over 22 years of diverse experience, I specialize in assisting clients through this difficult transition. Whether you're concerned about selling your marital home, buying a new property, or understanding the intricacies of loan origination and title work, I can provide the guidance you need. My team and I are committed to achieving the best possible outcomes for our clients. During this emotionally and financially taxing time, you can count on me for discreet, expert advice tailored to your unique circumstances. Feel free to call me to discuss your options and receive the support you need during this challenging period.



As an award-winning Real Estate expert with over two decades of diverse experience, I specialize in navigating the intricacies of property transactions during divorce settlements. Certified as a Divorce Specialist, partnering with me ensures that both parties reach a fair and financially sound resolution, making the divorce process smoother for everyone involved.



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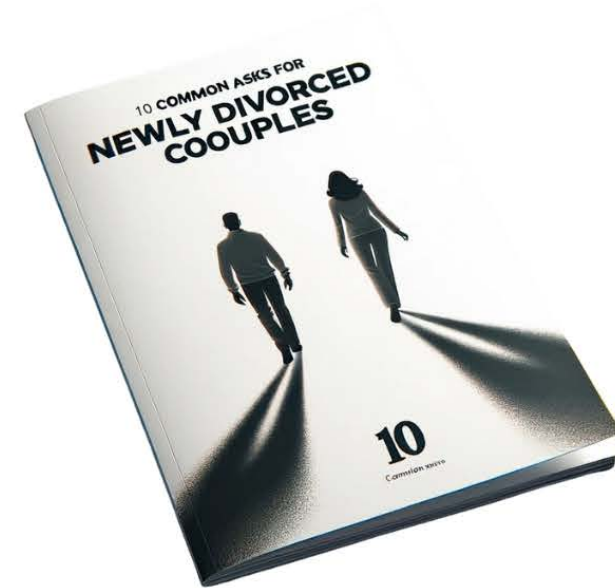


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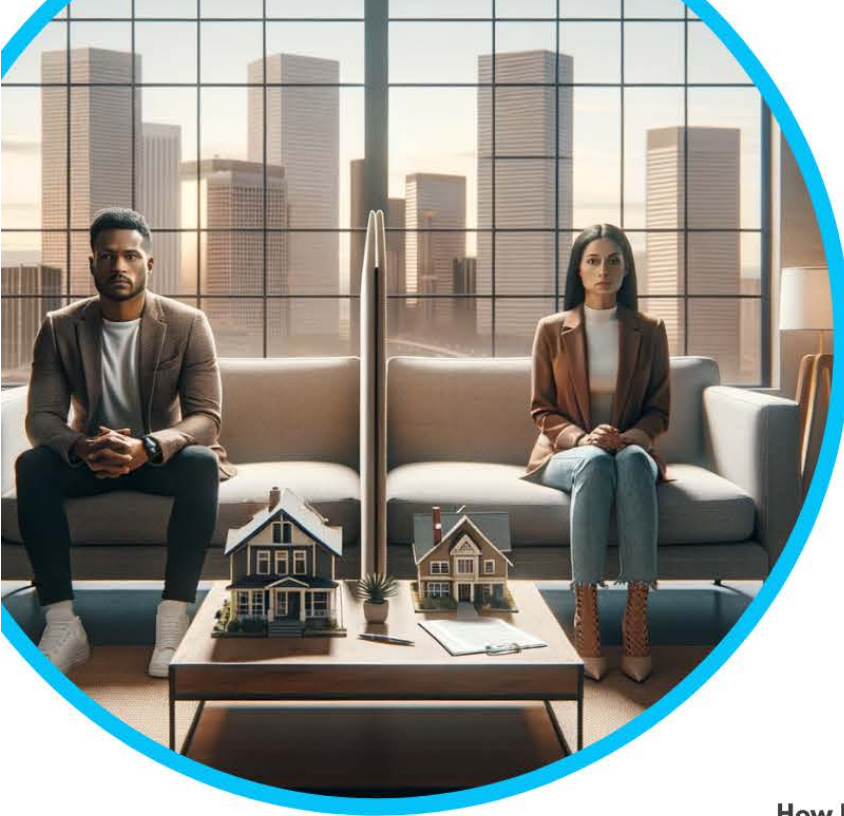
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TOP 10 REAL ESTATE QUESTIONS FOR NEW DIVORCE COUPLES



How Do We Split the Home's Equity?

In Colorado, which is an equitable distribution state, the equity in the home would be divided in a way that the court deems fair, but not necessarily equally. Contributions toward the home, the needs of each party, and other factors are considered.

Should We Sell the House or Does One Person Keep It?

This decision is often based on the couple's financial situation and the court's judgment. One party could buy out the other, or the house could be sold, and proceeds divided as per Colorado's equitable distribution laws.

How Do We Determine the Home's Value?

An official appraisal is usually the best route to determine fair market value. Both parties should agree on an appraiser to avoid later disputes.

What Happens to the Mortgage?

Options include refinancing so that the mortgage is in one name or selling the house to pay off the mortgage. Colorado courts often consider the person who will have primary custody of children, if applicable, when deciding who should stay in the home.

Can One Party Buy Out the Other?

Yes, one spouse can buy out the other's share of the property. In Colorado, the buyout amount is typically based on the home's market value, minus the remaining mortgage balance.

How Do Taxes Affect Our Decisions?

Taxes can play a significant role. Colorado doesn't have special divorce-related tax laws, but federal taxes, like capital gains tax, will apply when selling the home. Consult a tax advisor for state-specific information.

What About Jointly Owned Investment Properties?

These are typically divided based on equity and each spouse's contribution, similar to a primary residence, in line with Colorado's equitable distribution laws.

How Do We Handle Home Repairs or Upgrades Before Sale?

Both parties are generally responsible for home repairs or upgrades before a sale unless otherwise agreed upon. You can establish this in writing to avoid future disputes.

Who Stays in the Home During the Divorce Process?

There is no set rule in Colorado, and this can be emotionally challenging. Temporary orders during separation can address this issue, or parties may come to an agreement outside of court.

What Happens If One of Us Can't Afford the House Alone?

If neither can afford the home, selling it and dividing the proceeds is common. Otherwise, the party with more financial resources might keep the home, especially if they have custody of children. Alimony and child support can also factor into this decision per Colorado law.