



FOR BETTER OR WORSE

Working with Divorced Sellers

by Lee Nelson

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Carlene Johnson has learned through helping divorcing couples sell their homes that there are always three stories to every divorce case. “There is one spouse’s story, the other spouse’s story, and the truth is somewhere in the middle,” says Johnson, owner of CJ Services Realty powered by United Real Estate – Houston, and a Certified Divorce Real Estate Expert (CDRE) through the Ilumni Institute.

Each party sets their perception of what transpired. Their perception is just that—their perception. You as the third, neutral party accept and listen to both sides. Neutrality is one of the biggest components of working with divorcing couples, she emphasizes. “The lives they have been building are crumbling,” Johnson says. “That property is a stronghold. Many times, it is everything to them and the kids.”

Being an agent to divorcing or already divorced couples can be rewarding and uplifting, but it also might involve twists and turns you didn’t expect.

IT’S NOT FOR THE FAINT OF HEART

For many years, Laurel Starks has served as a court-appointed agent for some of the nastiest divorce cases. They include incarcerations, restraining orders, suicides, and attempted murders.

“It’s messy, and it’s sad,” says Starks, founder of Ilumni Institute (formerly the Divorce Real Estate Institute) in Rancho Cucamonga, California. She also leads the Starks Realty Group of Keller Williams and authored the book, *The House Matters*. “I even had a case where the husband assaulted the wife’s attorney,” Starks says. “This is what you get when you work in this field of divorce real estate.”

But not every divorce case brings such horror or pain. You end up helping people during some of the worst days of their lives. Decisions get complicated. Emotions can run high. But in the end, you help people move on to the next chapters of their lives.

Starks’s organization specializes in divorce real estate training and issues the CDRE designation. Agents, divorce attorneys, and judges from across the country are being educated about the complicated real estate components of divorce.

The emotions of a failed marriage can involve anger, fear, sadness, numbness, and elation. As an agent helping a splitting couple, you learn to understand you will be met with fight, flight, or freeze responses, says Starks.

“We must recognize the magnitude that the sale of the house has on a family, and acknowledge the trembling fear that drives much of the emotion we face with our clients,” she emphasizes. “Don’t overwhelm them with a laundry list of stuff to do and think you’ve done your job. We give them baby steps.”

STAY NEUTRAL THROUGHOUT THE PROCESS

Starks preaches in her classes that you cannot take sides in the divorce, even though it’s tempting to do so. Often, one person in the couple will be nicer, more cordial, and more respectful.

Starks did end up being misled by the supposed victim in one divorce case. The woman told her the husband always controlled the money and hid it from her. She said the husband was abusive to her and the children. “She was trembling and in tears,” Starks says. “I felt so horrible for her.” But later on, she found out the woman turned out to have made up the stories.

“You might be dealing with narcissistic personalities, substance abuse, restraining orders, and more,” she states. “But you remain neutral. You can’t become the advocate for one side, or you’ve lost it.”

For 20-year real estate veteran Theresa Bastian, broker/owner of Let’s Move Austin who recently earned the CDRE certification, working with divorced couples is somewhat personal. She went through her own high-conflict divorce. Nothing rattles, scares, or embarrasses her that a client might tell her.

“That’s the benefit of having lived through it myself,” says Bastian. “I’ve learned to reframe the situation for the couples and show them the things they can look forward to once the house is sold.”

GETTING SPECIAL TRAINING COMES IN HANDY FOR MANY SITUATIONS

Bastian dealt with a couple who had already been divorced by the time she was brought in. The woman had never removed her name from the home’s title even though her ex-husband owned the house. She had full custody of the children.

At some point, he stopped paying the mortgage and child support. Her credit became negatively impacted, and they both faced having a foreclosure on their credit reports. That mark could be damaging for seven years, affecting activities like trying to buy another home, renting, and other financial transactions.

“They both agreed to put it on the market. There wasn’t a lot of goodwill on his part to get along on anything. I just kept pointing to the needs of the children to provide a framework of steps to follow.”

The half-remodeled home fell into disrepair because he had run out of steam and money. But Bastian kept emphasizing to him that by selling the property, there would be money to pay the back child support. She also pointed out that avoiding foreclosure had tangible benefits for him, too, and

would allow him to start fresh again.

It all ended up with things settled and the house sold.

“It’s just not my place to judge. There are a lot of accusations being thrown around in a divorce,” Bastian says. “From where I sit, there are no sides. It’s about selling the house and helping both of them move forward.”

Johnson worked with a couple in which one party was designated as the seller and the other one wasn’t on the title.

“I made sure both of them signed off on all documents even though the other person wasn’t on the title,” she says.

One party wouldn’t speak to Johnson at first. That person was still in the home and wasn’t motivated to communicate.

“I would reach out initially, but they requested that I don’t call anymore and only send emails,” she says.

But there was no response to the emails. She couldn’t show the home because the individual in the home wouldn’t authorize any showings even when not in the home.

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So, Johnson called one day and left a message saying she was going to be at the home to pick up the keys. She insisted that she was going to speak with that person. She sent a text when she showed up at the house.

“That person actually was there, and we had a conversation. Finally, the person realized I was a neutral third party,” she adds. “I just kept coming back to where we all wanted to be. I’d say to them both, ‘I understand what you are saying, but let’s move forward.’”

The home eventually received an acceptable offer, and it went smoothly after that. It took a lot of perseverance for a few months. Both parties began to understand that she was there for both of them.

When they are in court, divorcing couples may feel like the judge isn’t listening to them or even that their own lawyers aren’t listening to them. “They feel it’s an uphill battle. But I’m on both of their sides. I want what’s best for the home and for both of them,” she says.

PANDEMIC MIGHT CAUSE JUMP IN DIVORCES

About 40% to 50% of married couples in the United States divorce, according to the American Psychological Association, and the divorce rate for subsequent marriages is even higher. When those divorcing couples need or want to sell the family home, Starks says, 50% of those divorce listings fail to sell with the first agent hired. Many agents just don’t understand how to handle the volatility, emotions, and complications that can happen.

For couples who were already on shaky ground before being quarantined together, a jump in the number of divorces could happen this year. “COVID has shone a spotlight onto the strengths and weaknesses of marriage,” she says. “The family law community is expecting a surge in filings as courts begin to open up more.”

She talks with many family and divorce attorneys throughout the country. They believe that the extra pressures of losing jobs or wages plus staying home all day and all night with the kids can push people over the edge. Their regular routines—which sometimes included ignoring the marital problems—have gone into a tailspin.

“With the pandemic, couples who were on the edge of disaster might decide that sticking it out any longer would be harmful for themselves, their kids, and their lives,” Johnson says. ★

LEE NELSON is a freelance journalist from the Chicago area.

A number of organizations offer designations and courses for real estate professionals who want to learn about working with divorced clients. You can search terms like *real estate divorce designation* and *real estate divorce course* to find options.

Carlene Johnson
CJ Services Realty
powered by United Real Estate – Houston



Theresa Bastian
Let’s Move Austin



TIPS FOR AGENTS WHO WANT TO WORK ON THE SPLITS

Be tenacious

It’s more than empathy, says Theresa Bastian, broker/owner of Let’s Move Austin. “Tenacity will make you really committed to go the extra mile. Working with divorcing couples can be twice as much work as a regular home sale.” But don’t let negativity of the couple be contagious.

Be trustworthy

Make sure to stay open and communicative with both parties, emphasizes Laurel Starks, founder of the Illumi Institute (formerly the Divorce Real Estate Institute). If you send an email to one, you have to send it to the other one. Don’t take sides even though that might be hard.

Be steady

“You have to be firm, and don’t use words like ‘I think’ or ‘I believe,’” says Carlene Johnson, owner of CJ Services Realty powered by United Real Estate – Houston. “Any indication that you are unsure will sometimes be used against you.”

Be aware of your correspondence to their attorneys

Don’t send all your communications to their lawyers, because lawyers cost them money, and some of your clients don’t have any money, Starks says. Make sure the important information that should be put before an attorney is sent, but don’t send everything without consideration.

Be conscious of your own welfare

When you are stepping into the middle of litigation or an emotional setting, you are stepping into a real estate war zone, Starks says. “It’s purposeful work, but you must be very comfortable to be in conflict. That is my work. I take a lot of spa days. Good self-care is important, too.”

Be able to walk away

The first time Johnson stopped working for a divorcing couple, she felt both failure and relief but realized, “You have to draw the line. Some people will never listen to or respect you no matter what you do or say. In those instances, I can’t be effective.”



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