

MarketWatch Column The Moneyist Consults Matheu Nunn on Commingling Marital Assets

MarketWatch's The Moneyist columnist again reached out to [Matheu Nunn](#) to answer a reader's question about using inheritance money to pay off the mortgage on a home she jointly owns with her husband. The woman and her husband have both equally contributed to the mortgage and household bills for 23 years and both of their names are on the deed. However, after her mother passed away, the woman paid off the balance of the mortgage with a portion of her inheritance money. She asked the editor if she were to divorce, would she be entitled to the money she put in from her inheritance.

Mat, who has extensive experience representing individuals in divorce cases in New Jersey, told the reader that she has likely commingled her inheritance.

"Unfortunately, in a long-term marriage in which both parties have equally contributed to the home, and you decided to use inherited money to further pay-down the mortgage, a judge would likely conclude that the entirety of the equity is marital."

Mat added, however, that there is a caveat. "If your husband were to file for divorce a short time after your generous contribution, a judge may find that it is 'inequitable' or unfair to give your husband the entire benefit of the \$142,000 of inherited money." That assumes that you do not have a premarital agreement on how inherited money would be compensated in the event of a divorce.

Read the full MarketWatch column The Moneyist "[I inherited \\$246,000 from my late mother and used \\$142,000 to pay off our mortgage. If we divorce, can I claim this money back from my husband?](#)" (Subscription may be required.)