

# Matheu D. Nunn Quoted Throughout Moneyist Article on the Division of Property with Third-Party Involvement

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Einhorn Barbarito [Family/Matrimonial](#) practice co-chair [Matheu D. Nunn](#) provided extensive commentary to MarketWatch's The Moneyist column to answer a reader's question about the division of marital assets in which the husband's mother is staking a claim.

The reader, who is currently going through a divorce, wrote that her mother-in-law's name has long been on the title of the house she co-owns with her husband. Even though the mother-in-law has never made any payments or lived in the house, she is now claiming one-third of the house's equity in the couple's divorce proceedings. The wife asked if she would be able to fight to get her half.

Mat said that "this question raises several legal issues involving family law and real estate issues. First and foremost, your mother-in-law has a legal interest in the home."

He added that the wife faces an uphill battle to prove the mother-in-law does not have a right to one-third but could persuade a divorce court to give the wife a larger percentage of her husband's share.

"You may be made 'whole' through your husband's interest in the home," Mat said. "That is, family courts divide property based on principles of equity and fairness."

Mat continued that the judge's award could essentially divest the husband of some of his equity to make the wife whole.

"This is a complicated litigation that would require decades-old evidence, multiple parties, and likely a hearing."

Read the full MarketWatch column The Moneyist "[My husband added my mother-in-law to the deed of our house 20 years ago. Now we're getting divorced, and she wants one-third. Can I fight this? 'She never made any payments or lived in the house. She agreed this house does not belong to her.'](#)"

(Subscription may be required.)