

2002

Do You Have Tips On Discussing Property Distribution?

Liz Gorham

Follow this and additional works at: http://digitalcommons.usu.edu/extension_histall

 Part of the [Finance Commons](#)

Warning: The information in this series may be obsolete. It is presented here for historical purposes only. For the most up to date information please visit [The Utah State University Cooperative Extension Office](#)

Recommended Citation

Gorham, Liz, "Do You Have Tips On Discussing Property Distribution?" (2002). *All Archived Publications*. Paper 287.
http://digitalcommons.usu.edu/extension_histall/287

This Article is brought to you for free and open access by the Archived USU Extension Publications at DigitalCommons@USU. It has been accepted for inclusion in All Archived Publications by an authorized administrator of DigitalCommons@USU. For more information, please contact dylan.burns@usu.edu.





A weekly question/answer column

Do You Have Tips On Discussing Property Distribution

Liz Gorham answers:*

Though it is not easy to talk about who will get what upon a loved one's death, it is important to discuss it and document it so that intentions are made clear. Lack of communication and planning can lead to inaccurate assumptions, unresolved family tension and relationship struggles. As families gather this season, consider discussing the topic to improve communication.

There are two specific types of property. Titled property refers to items where ownership is identified by a written document. Such items include real estate, savings and checking accounts, vehicles, machinery and stocks and bonds. Non-titled property includes items such as furniture, handmade items, jewelry, antiques, and collections. The transfer of non-titled property seems to cause the greatest emotional upheaval, since these are often objects that have sentimental meaning to more than one person. Distribution of these items can be less clear than for titled property. To avoid or manage conflict regarding non-titled property transfer, try these strategies.

- Recognize sensitivities. Some family members may be facing their own or another's mortality, or may fear how their motives are interpreted. Who is the best person in the family to bring up the subject?
- Think about what the family wants to achieve. Do you want to preserve memories, improve relationships, maintain privacy, be fair to all involved or contribute to society?
- Understand that people have different perceptions of what is fair. Some common rules often considered in non-titled transfers include: 1) The equity rule where everyone gets the same number of items, dollar value, emotional value, or an equal chance to "purchase" items. 2) The contributions rule where gifts, informal help, money, care giving and emotional support are taken into account. 3) The needs rule where distribution is based on who has the greatest financial, physical, emotional or basic living needs. 4) The differences among family members rule, which is based on birth order, age, gender, marital status, geographic location or personal interest in an item.
- Clarify the process to be used in determining what is fair. Decide who makes the rules, how value is determined, and what methods will be used for standards and consistency. Understand that the meaning of things will differ due to age, gender and personality. When disagreements occur, communicate openly and work to overcome the problem.
- Act on the decisions made. Label items and keep a written list. Update the will and distribute items to family members or inform them of intentions. Also consider the options to gift, give away or sell items.
- Contact your local County Extension office (listed under Utah State University Extension

in the white pages) for more information on the subject. “Who Gets Grandma’s Yellow Pie Plate?” is a video available with worksheets to help guide you through the process of making non-titled property transfers.

* Liz Gorham is Utah State University Extension Family Resource Specialist