



VALUATION SERIES: HOUSEHOLD CONTENTS

Finding out the value of assets and liabilities is an important step when you are going through a property settlement with your ex-partner. This fact sheet is about valuing household contents.

What are household contents?

Household contents are things such as furniture, fridges and washing machines and personal items such as clothes, jewellery and tools.

Does the Family Court decide who keeps household contents?

Generally, it will be up to you and your ex-partner to decide how you will divide your household contents after a relationship breakdown. The Family Court does not normally decide who gets to keep household contents.

What property does the Family Court make decisions about?

The court will generally focus on how "bigger ticket" items such as real estate, motor vehicles and superannuation are divided between you and your ex-partner.

There are a few exceptions to this general approach. These include items such as expensive works of art, jewellery, antiques or memorabilia. If you cannot agree about who keeps these items, the court will decide how they are divided.

Generally, it will be up to you and your ex-partner to decide how you will divide your household contents after a relationship breakdown.

How are household contents valued?

Household contents are generally given a “market value”.

This means they are valued at a price that someone would reasonably pay for second-hand goods in the marketplace.

Household contents are not given the value they were when they were bought new or how much it would be to pay to replace them. They are also not given their insured value.

Generally, the Family Court will be satisfied with a rough estimated dollar amount being given to each person. For example, the property settlement might say one partner will keep \$5,000 and the other partner will keep \$5,000 worth of household contents.

Household contents are generally given a “market value”.

What if you and your ex-partner cannot agree on the value of the item?

If you and your ex-partner cannot agree on the value of a particular item (such as art, jewellery, antiques or memorabilia) you can agree to hire an expert to value it and provide a sworn valuation.

The expert is a person that is highly qualified in a particular area. Experts are usually registered or accredited with a national or state board.

There are specific family law rules that experts need to follow.

The expert will give their opinion in writing and will ‘swear’ that the valuation is independent and authentic. This is called a sworn valuation.

Who is responsible for paying for a sworn valuation?

Fees are usually shared between the couple.

You should make enquiries with a few experts to find out their costs. The fee for a sworn valuation will change from expert to expert.



How can Legal Aid WA help?

amica

[amica](#) is a secure online tool that helps separating couples reach amicable agreements about parenting and property.

[amica](#) guides people through a step-by-step process and offers information and support along the way to help them reach agreements about parenting issues and property settlement.

[amica^{one}](#) is a single-sided version of amica that you can use to find out how amica works and get an estimate of what your property settlement might look like, without involving your ex-partner.

Legal Aid WA Website

You can also find a range of information, videos and fact sheets about dividing property and finances on the Legal Aid WA website www.legalaid.wa.gov.au

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CMS 7805011 | Last reviewed Thursday, March 9, 2023