APPRAISEITNOW

The Valuation Date Decides the Number: Divorce Appraisals of Personal Property, Equipment and Vehicles Under New York and California Rules

AppraiseItNow Inc.

November 2026, version 1

Published by AppraiseItNow Inc., New York City. www.appraiseitnow.com

© 2026 AppraiseItNow Inc. Licensed under the Creative Commons Attribution 4.0 International License (CC BY 4.0): creativecommons.org/licenses/by/4.0

Educational material, not an appraisal.

Abstract: why the valuation date controls a divorce appraisal of personal property, equipment and vehicles

This white paper, published by AppraiseItNow Inc. in 2026, addresses one question that spouses and family-law attorneys often settle too late in a divorce: on what date is the property being valued? The paper argues that, for personal property, machinery and equipment, and vehicles, the valuation date is the most consequential input in the appraisal. These assets are used, driven, worn and sold while a case is pending, so the same asset can carry materially different values on different dates. The paper refers to this spread as the "date gap."

The argument proceeds in four steps. First, it describes the problem: a divorce case can run for a long time, and assets that depreciate, accumulate hours or miles, or change hands produce different numbers at each candidate date. Second, it sets out the background. No federal rule governs divorce valuation. State law and the court set the date, and the paper uses New York and California to show how far two states can diverge. Third, it describes the approach AppraiseItNow's appraisers take, which is to treat the valuation date as an instruction from counsel and to fix the report's effective date to it. Fourth, it presents evidence: AppraiseItNow's own assignment counts for the 12 months to November 2026, and a series of hypothetical worked examples that isolate the effect of the date.

The paper concludes that the valuation date should be settled, in writing, before an appraiser begins work. An appraisal tied to the wrong date can be accurate on its own terms and still be of little use in the settlement.

The problem: one marital asset, several defensible dates, several different values

Why the same asset produces different numbers

An appraisal answers a narrow question: what is this property worth, under a stated definition of value, as of a stated date? Each element of that question matters. In a divorce, the date is the element most likely to move between the time the parties separate and the time the case resolves.

Real estate, which this paper does not address, often moves with broad market conditions. The assets considered here behave differently. A vehicle loses value as it ages and as its odometer climbs. A tractor, excavator or production machine accumulates operating hours, and its condition changes with use, maintenance or neglect. Household furnishings, tools and collections may be relatively stable in value, but they can be moved, given away, damaged or sold while the parties are apart. A boat accrues engine hours and is exposed to the weather. For every one of these assets, the question "what is it worth?" has no fixed answer until the date is set.

The date gap in practice

The date gap is the difference between an asset's value at one candidate date and its value at another. In a short case, the gap may be small. In a contested case that moves from filing through discovery and motion practice to trial, the gap can be large enough to change the outcome of a negotiation over a single vehicle or machine. Across an entire household of property, the effect accumulates.

The gap also cuts in both directions, which is why it causes disputes. The spouse who will keep a depreciating vehicle may prefer a later date, because a lower value means less to offset against other property. The spouse who will not keep it may prefer an earlier date. Neither preference makes the appraisal more or less accurate. Each preference simply chooses a different moment at which accuracy is measured.

Why this is not the appraiser's decision

Disputes over the date are often treated as if they were disputes over the appraisal itself. They are not. An appraiser can tell the parties what an asset was worth on a given date, or is worth on a given date, but the choice of date in a divorce belongs to the legal framework and to the court. When the parties leave that choice unresolved, the appraiser has no principled basis on which to make it. The result is either a report that must be redone or a report whose number is attacked for reasons that have nothing to do with how it was produced.

Who is affected

Two groups of readers feel the effect most directly. Spouses who are negotiating a settlement often focus on whether a number is "fair" without asking which date it reflects. Family-law attorneys know that the date is a legal question, but they may commission an appraisal before the date is settled, or may not tell the appraiser which date applies. In both cases, the appraisal cannot do its job until the date question is answered.

Background: state valuation-date rules, the court's role and the appraisal effective date

No federal rule governs divorce valuation

The starting point is that divorce valuation is a matter of state law. No federal rule sets how property is valued in a divorce; state law and the court set the valuation date and standard. For example, New York lets the court choose any date from the filing of the case to trial; California values assets as near the trial as practicable unless the court orders otherwise.

Two consequences follow. First, a reader cannot carry a valuation-date assumption from one state to another. A practice that is routine in one state may be wrong in another. Second, even within a state, the court has a role in setting the date. The parties and their counsel therefore

need to know, for their own case, which date the court will apply or has applied.

New York: a range of permitted dates

In New York, the governing provision is the valuation-date paragraph of the Domestic Relations Law (N.Y. Domestic Relations Law § 236(B)(4)(b)). As stated above, New York lets the court choose any date from the filing of the case to trial. For an appraisal, this means the valuation date is not fixed by the calendar alone. It is a point within a window, and the court chooses that point.

For personal property, equipment and vehicles, the window matters. If a case is filed in one year and tried two years later, every vehicle, machine and boat in the case has two years of use, aging and market change between the earliest and latest permitted dates. Counsel may need values at more than one date within that window to understand what is at stake before the court decides. The appraiser's role is to produce values at the dates counsel specifies, not to recommend where in the window the court should land.

California: a date near trial, subject to court order

In California, the governing provision is in the Family Code (Cal. Fam. Code § 2552). As stated above, California values assets as near the trial as practicable unless the court orders otherwise. The default therefore points to the end of the case rather than to a window. The rule also expressly leaves room for the court to order otherwise.

For an appraisal, the practical effect is that the valuation date in a California case is often tied to a trial date that may move. If trial is continued, a report prepared for a date near the original trial date may no longer sit near the actual trial. Whether a new or updated appraisal is needed is a question for counsel. The appraiser's role is to state clearly which date the report addresses, so that counsel can judge whether that date still serves the case.

The New York and California rules side by side

The following table restates the two examples exactly as the governing fact gives them, along with the practical question each raises for an appraisal. The table does not add to either rule.

State	Rule as stated	Practical question for the appraisal
New York	The court may choose any date from the filing of the case to trial.	Which date or dates within that window does counsel want valued?
California	Assets are valued as near the trial as practicable unless the court orders otherwise.	What is the trial date, has the court ordered a different date, and does the report's date still sit near trial?

The appraisal effective date

On the appraisal side, the concept that connects to the legal valuation date is the effective date. An appraisal's effective date is the date the value applies to. It can be current, past (a date of death or donation) or future, and the report states both the effective date and the report date (USPAP, 2024 edition (The Appraisal Foundation)).

The distinction between these two dates is central to divorce work. The report date is when the appraiser signs and issues the report. The effective date is the moment the value describes. A report issued during the run-up to trial can carry an effective date of the filing date, which lies in the past, or a date near trial. Readers who see only the report date may assume the value is current when it is not. Readers who see the effective date know exactly which moment the number describes.

Definitions used in this paper

- Valuation date: the date, set under state law and by the court, as of which property is valued for the divorce.
- Effective date: the date the appraised value applies to, stated in the appraisal report.
- Report date: the date the appraisal report is issued.
- Standard of value: the definition of value the appraisal must meet, which counsel supplies for a divorce assignment.
- Date gap: the difference between an asset's value at one candidate valuation date and its value at another.
- Scope of work: the extent of research, inspection and analysis an appraiser decides is needed for credible results.

The approach: how AppraiseItNow ties a divorce appraisal to the valuation date counsel sets

The organization and its range

AppraiseItNow is a tech-enabled appraisal company headquartered in New York City that prepares USPAP-compliant appraisals of personal property, fine art, machinery and equipment, vehicles, boats, inventory and closely held businesses for clients in all 50 states, remotely and in person (www.appraiseitnow.com). AppraiseItNow prepares every appraisal in accordance with USPAP, the Uniform Standards of Professional Appraisal Practice (USPAP, 2024 edition (The Appraisal Foundation)). AppraiseItNow does not appraise real estate (www.appraiseitnow.com). In a divorce, this means the marital home and other real property fall outside the work described here. The vehicles, equipment, boats, art and household contents of the marriage fall within it.

AppraiseItNow is an appraisal company that prepares appraisals itself; it is not appraisal software and does not manage appraisal orders for lenders (www.appraiseitnow.com). AppraiseItNow's appraisers specialize by asset class rather than by geography. A single marital estate can contain a pickup truck, a farm implement, a painting and a garage full of tools, each of which calls for a different kind of market knowledge.

Step one: the valuation date and standard come from counsel

The approach begins by treating the date as an instruction, not as a judgment the appraiser makes. AppraiseItNow sets the effective date by purpose: for insurance coverage and personal use, the report date; for estate and probate, the date of death; for a donation, the contribution date, or the report date for a future gift signed no more than 60 days before it; for a gift, the date of the gift; for an insurance claim, the date of loss; for a divorce, the date counsel sets; for an IRA conversion, the conversion date.

The divorce entry in that list is different from the others. For most purposes, a single event fixes the date: a death, a contribution, a loss, a conversion. In a divorce, the date comes from the legal framework and the court, and counsel communicates it. For this reason the intake for a divorce assignment is specific. For a divorce appraisal, AppraiseItNow needs the valuation dates and standard as counsel sets them and which side it acts for, and the attorney confirms that a remote appraisal is acceptable.

Each element of that requirement does distinct work.

- Valuation dates. The plural matters. In New York, where the court may choose any date in a window, counsel may ask for values at more than one date. In California, the date may be tied to a trial date that can change.
- Standard. The definition of value determines which market the appraiser looks to and what the number means. Counsel supplies it, so the appraiser does not have to guess.
- Which side. The report is prepared for a defined client and intended use. Knowing which side the appraiser acts for establishes that from the outset.
- Remote acceptability. The attorney confirms whether a remote appraisal is acceptable for the case before the appraiser plans the scope of work.

Step two: collecting only what the appraiser needs

AppraiseItNow collects what the appraiser needs before the appraisal starts, and asks only for what the appraiser needs. In a divorce, this discipline has a particular benefit. Property information often sits with one spouse, and requests for it can become points of friction. A focused request, limited to what the appraisal actually requires, gives counsel a defined list rather than an open-ended demand.

Clients request an appraisal from AppraiseItNow online and receive a fixed-fee quote before any work begins; AppraiseItNow does not bill hourly.

Step three: deciding the scope of work and the level of inspection

USPAP does not require an in-person inspection in every assignment. The appraiser decides the scope of work, including how much inspection credible results need, and the report describes that scope (USPAP, 2024 edition (The Appraisal Foundation)). Most AppraiseItNow appraisals are completed remotely from photographs and documents; when an inspection is needed, an appraiser visits the asset in person (www.appraiseitnow.com).

For remote work, the evidence the appraiser relies on depends on the asset. AppraiseItNow's photo requirements by asset type: for vehicles, the outside and inside, plus the mileage for anything motorized; for boats, the outside with the cover off, the helm, the engine and the inside, plus the HIN and engine hours; for machinery, a few photos of each machine, the hours and whether it runs; for fine art, the front, back, signature and frame; for household items, one clear photo per item or group.

Several of these requirements are themselves date-sensitive. Mileage, engine hours and machine hours are the measurements that change most between a filing date and a trial date. A photograph of an odometer taken today records today's reading. If the valuation date is in the past, the appraiser needs to know whether a reading from that earlier date exists, for example in service records, inspection paperwork or documents exchanged in the case.

On an in-person appraisal, the appraiser identifies and photographs everything at the visit; the client still provides the address and the paperwork they hold, such as titles, receipts, certificates and records. That paperwork often carries the historical information that a site visit cannot recover, such as the purchase date, the condition at an earlier time, or a past mileage figure.

Step four: handling uncertainty about a past condition

A past valuation date raises a problem that a current date does not. The appraiser can observe an asset as it is now, but must reconstruct how it was on the valuation date. Records often resolve the question. Sometimes they do not, and the appraiser must consider whether a reasonable assumption can bridge the gap.

An appraiser may assume an uncertain fact is true (an extraordinary assumption) only when it's needed for credible results, there's a reasonable basis for it and the analysis stays credible, and the report must say so clearly (USPAP, 2024 edition (The Appraisal Foundation)). In a divorce, the requirement that the report say so clearly is valuable to both sides. If a value at the filing date rests on an assumption about the asset's condition at that time, the reader can see the assumption and test it, rather than discovering it in cross-examination. Whether an extraordinary assumption is appropriate in a given assignment is the appraiser's decision under the conditions stated above.

Step five: stating the dates in the report

The final step is to make the date impossible to miss. Because the report states both the effective date and the report date, a reader can see immediately that a report issued close to trial values property as of the filing date, or as of a date near trial, or both. Where counsel has asked for more than one valuation date, the report identifies which value belongs to which date.

Evidence: AppraiseItNow assignment data and hypothetical date-gap examples

What the assignment counts show

AppraiseItNow delivered more than 1,100 appraisals in the 12 months to November 2026. The following counts describe the assignments AppraiseItNow opened in a closely matching period.

Of the 1,226 appraisals AppraiseItNow opened between November 8, 2025 and November 8, 2026, 521 were for charitable donations, 175 for insurance (102 claims and 73 coverage), 144 for estates (61 probate, 46 estate tax and 37 estate settlement), 50 for divorce and 15 for Roth IRA conversions.

By asset class, the same 1,226 appraisals included 377 vehicles, 323 general personal property, 174 machinery and equipment, 54 boats, 45 business inventory, 40 fine art and 39 business valuations.

Two observations follow from these counts. First, divorce is one purpose among several, and it is the purpose whose effective date is supplied entirely by counsel rather than by a single fixed event. Second, the asset classes most represented in the period, vehicles, general personal property, and machinery and equipment, are the same classes this paper identifies as most exposed to the date gap. Vehicles were the largest single asset class in the period. That is the class in which mileage, and therefore the reading taken on a particular date, most directly affects value.

How the appraisals were performed

Of the 1,226 appraisals AppraiseItNow opened between November 8, 2025 and November 8, 2026, 1,137 were done from photographs and documents and 27 in person; the method was not recorded for the other 62.

These counts matter for divorce work because remote appraisal depends on the photographs and documents the client supplies. When the valuation date is current, a current photograph serves directly. When the valuation date is in the past, the documents that record the asset's earlier state become more important. For a divorce appraisal, the attorney confirms that a remote appraisal is acceptable.

How often information has to be requested again

Of 867 appraisals AppraiseItNow reviewed between October 27, 2025 and September 23, 2026, 31% needed something more from the client and 24.6% went through a formal request for missing details.

In 162 requests for missing details that AppraiseItNow sent between August 2025 and September 2026, the median first reply from the client came in 0.1 days; 55% were resolved within a day and 89% within a week. Identifiers such as a VIN or serial number took a median 0.6 days to arrive, receipts 0.7 days, donation documents 1.7 days and photos 2.0 to 3.7 days.

For a divorce, the relevance is direct. Identifiers and receipts usually exist in a file somewhere and arrived quickly in these requests. Photographs took longer, because someone has to go to the asset and take them. In a divorce, the spouse who has access to a vehicle, machine or boat may not be the spouse who is cooperating with the appraisal. Counsel can reduce delay by establishing early who will supply photographs of each asset.

Hypothetical example 1: a New York case with two requested dates

This example is hypothetical. A married couple in New York owns a four-year-old sport utility vehicle, a compact track loader used in a side landscaping business, and a houseful of furniture. The case is filed in the spring of one year, and trial is expected about two years later. Because the court may choose any date from the filing of the case to trial, counsel asks for values at the filing date and at a date close to the expected trial.

The appraiser receives the following: the title and a service record showing the vehicle's mileage near the filing date; current photographs and a current odometer reading; the loader's hour-meter reading in a maintenance log from the filing period and a current reading; and one photograph per room group of furniture.

The hypothetical values are as follows.

Asset	Value at filing date (hypothetical)	Value near trial (hypothetical)	Date gap (hypothetical)
Sport utility vehicle	$38,000	$29,500	$8,500
Compact track loader	$41,000	$34,000	$7,000
Household furniture	$12,000	$11,500	$500
Total	$91,000	$75,000	$16,000

The appraisal is equally careful at both dates. The $16,000 difference comes entirely from the date. The court's choice within the window, which is not the appraiser's to make, determines which column governs. Without both columns, counsel would not see the size of what turns on that choice.

Hypothetical example 2: a California case where trial moves

This example is hypothetical. In a California case, counsel asks for values of a fishing boat and a pickup truck as of a date near the scheduled trial. The report states the effective date and the report date. Trial is then continued by several months, and the boat sees a season of use in the meantime.

The report is not wrong. It correctly states the value at its effective date. But California values assets as near the trial as practicable unless the court orders otherwise, so counsel now has to consider whether the report's effective date still sits near the actual trial. Because the effective date is printed in the report, counsel can make that judgment quickly. If counsel requests an update, the appraiser needs current boat photographs with the cover off, the helm, the engine and the inside, along with the HIN and current engine hours, plus a current odometer reading for the truck.

Hypothetical example 3: equipment sold after filing

This example is hypothetical. A spouse sells a used skid steer several months after a New York case is filed. Counsel asks for its value at the filing date. The machine is no longer available for photographs.

The appraiser works from what exists: the serial number on the bill of sale, photographs from an earlier listing, and a maintenance invoice that records the hour-meter reading shortly before filing. The records document the hours but do not show whether a hydraulic leak noted later was present at the filing date. The appraiser must decide whether an assumption about that condition is needed for credible results, has a reasonable basis and leaves the analysis credible. If the appraiser does adopt such an assumption, the report must say so clearly. Counsel for either side can then see exactly where the filing-date value depends on that assumption.

What the examples establish

The three examples isolate the date as the variable. In the first, two defensible dates produce two different totals. In the second, a correct report becomes a question for counsel because the legal reference point moved. In the third, a past date shifts the appraisal's dependence from observation to records and, possibly, to a clearly disclosed assumption. In none of them does the appraiser choose the date.

Implications for spouses and family-law attorneys in New York and California divorce valuations

For family-law attorneys

The central implication is sequencing. The valuation date and standard should be settled, or at least framed, before an appraisal is commissioned. In a New York matter, that may mean identifying which dates in the window counsel wants valued, so the parties can see the size of the date gap. In a California matter, it means tying the effective date to the trial date and watching for continuances or a court order setting a different date.

A second implication concerns which side the appraiser acts for. Stating at the outset whether the appraiser acts for one side, or how the engagement is structured, avoids later uncertainty about the report's intended use and audience.

A third implication concerns remote work. Because the attorney confirms that a remote appraisal is acceptable, counsel should consider early whether the case calls for an in-person inspection. Considerations include the number of assets, whether they are accessible, and whether a past valuation date makes records more important than current photographs.

For spouses

For spouses, the implication is a change of question. "Is this number fair?" is hard to answer. "Which date does this number describe, and is it the date that applies in this case?" is answerable. A spouse who reads the effective date on a report, not just the dollar figure, can tell whether two competing numbers actually disagree or simply describe different moments.

Spouses can also help by preserving the records that capture an asset's state at particular times. Service invoices with mileage, maintenance logs with machine hours, marina records with engine hours, purchase receipts and titles all fix a reading to a date. Those records are what allow a value at a past date to rest on documentation rather than on assumption.

A preparation checklist for a divorce appraisal

The following checklist restates the divorce intake and the photo requirements as practical steps. It does not add requirements.

Item	Who usually supplies it	Why it matters to the date
Valuation date or dates	Counsel	Fixes the effective date of the report
Standard of value	Counsel	Defines what the number means
Which side the appraiser acts for	Counsel	Establishes the client and intended use
Confirmation that a remote appraisal is acceptable	The attorney	Determines whether remote work can proceed
Vehicle photographs, outside and inside, plus mileage	Spouse with access	Mileage changes between dates
Boat photographs with cover off, helm, engine, inside, plus HIN and engine hours	Spouse with access	Engine hours change between dates
Machinery photographs, hours and whether it runs	Spouse with access	Hours and running condition change between dates
Fine art front, back, signature and frame	Spouse with access	Identifies the work and its condition
One clear photo per household item or group	Spouse with access	Identifies items and groups
Titles, receipts, certificates and records	Whoever holds them	Document the asset's state at earlier dates

Common date errors and their practical remedies

- The report carries the report date as its effective date when counsel needed the filing date. Remedy: provide the valuation date in writing at intake.
- Two experts appear to disagree, but one valued the property at filing and the other near trial. Remedy: compare the effective dates before comparing the figures.
- A California trial is continued and nobody revisits the report's effective date. Remedy: counsel checks the effective date against the new trial date and decides whether to request an update.
- A past-date value relies on a current odometer or hour reading. Remedy: locate records that show the reading near the valuation date, and expect the report to disclose any extraordinary assumption it relies on.
- An asset was sold or moved after filing and no photographs exist. Remedy: gather the bill of sale, listings, invoices and any earlier photographs.

Review questions

1. Why can two appraisals of the same vehicle, both performed carefully, reach different values in the same divorce case?
2. In New York, within what range may the court choose a valuation date?
3. In California, what is the default valuation date, and what can change it?
4. What is the difference between an appraisal's effective date and its report date?
5. Which items does a divorce intake require, and who confirms that a remote appraisal is acceptable?
6. Why do mileage and operating hours matter more for a past valuation date than for a current one?
7. Under what conditions may an appraiser use an extraordinary assumption, and what must the report do when one is used?

Conclusion: settling the valuation date before the divorce appraisal begins

For personal property, machinery and equipment, and vehicles, the valuation date determines the appraised number in a divorce. No federal rule settles that date. State law and the court do, and the New York and California examples show how differently states approach it: a window from filing to trial in one, and a date as near trial as practicable, unless the court orders otherwise, in the other. An appraisal answers the value question only for the effective date it states, and a sound report prints both that date and the report date.

The practical conclusion is to settle the date before the number. Counsel supplies the valuation dates and the standard, identifies which side the appraiser acts for, and confirms whether remote work is acceptable. Spouses preserve and supply the records that fix an asset's condition, mileage and hours to particular dates. The appraiser then values the property at the dates given and discloses any assumption the analysis depends on. With the date fixed in advance, a dispute over the number becomes a dispute about value rather than about which moment is being measured. AppraiseItNow's website is www.appraiseitnow.com.

References

- USPAP, 2024 edition (The Appraisal Foundation)
- N.Y. Domestic Relations Law § 236(B)(4)(b)
- Cal. Fam. Code § 2552
- www.appraiseitnow.com