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Extraordinary Assumptions in Divorce Appraisals: Valuing Personal Property, Equipment and Vehicles the Other Spouse Holds

AppraiseItNow Inc.

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Educational material, not an appraisal.

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Summary of extraordinary assumptions for property the other spouse holds

In a divorce, the property that most needs a value is often the property one side cannot reach. Consider a pickup truck parked at one spouse's jobsite, a boat in a slip the other spouse rents, or a lathe in a shop that belongs to one spouse's business. Paintings that left the marital home before separation raise the same problem. In each case, the appraiser retained by the spouse who does not hold the item may never see it.

This white paper examines the tool that appraisal standards provide for that situation, the extraordinary assumption. It argues that the tool is a disciplined way to carry a known gap through an analysis. It is not a substitute for evidence.

The governing condition is short. 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. That condition comes from the professional standards that govern the appraisal (USPAP, 2024 edition).

The argument of this paper has three parts.

1. **An assumption about an unseen item is permitted only within the stated conditions.** Each of those conditions can be tested by opposing counsel or an opposing appraiser.
2. **The strength of an assumption depends almost entirely on the record that supports it.** The practical work of a divorce appraisal with withheld items is therefore building that record: titles, registrations, insurance schedules, service invoices, earlier photographs and similar documents that the non-holding spouse already has or can obtain.
3. **Access later in a case narrows the gap but does not always close it.** State law and the court set the valuation date. An assumption about an unseen item may also be an assumption about how that item looked on a past date. Inspecting it later shows its condition on a different day.

The recommendations at the end of this paper turn these points into steps that spouses and family-law attorneys can take before, during and after an appraisal is prepared.

Terms used in this white paper

- **Holding spouse:** the spouse who has physical control of an item on the date of the appraisal, whether at a residence, a business premises, a storage unit or a marina.
- **Non-holding spouse:** the spouse who lacks physical control of the item and whose appraiser may be unable to inspect it.

- **Extraordinary assumption:** an uncertain fact that an appraiser treats as true for the purpose of an assignment, within the conditions quoted above.
- **Basis record:** the documents, photographs and other information that may give an appraiser a reasonable basis for an assumption.
- **Effective date:** the date to which a value conclusion applies, defined later in this paper.
- **Scope of work:** the type and extent of research and inspection an appraiser performs in an assignment.
- **Valuation standard:** the kind of value a court will apply in dividing property, as counsel identifies it for the assignment.

About the publisher of this white paper

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. AppraiseItNow prepares every appraisal in accordance with USPAP, the Uniform Standards of Professional Appraisal Practice. AppraiseItNow does not appraise real estate. These descriptions are drawn from the company's published materials (www.appraiseitnow.com). AppraiseItNow's website is www.appraiseitnow.com.

Why unseen marital property is the weak point of a divorce appraisal

Many appraisal problems involve too little information. Divorce appraisal adds a second problem: the information that exists may be in the hands of a party whose financial interest runs against the person asking for the appraisal. This asymmetry is structural rather than personal. It does not require bad faith. A holding spouse who is entirely honest may still be slow to supply photographs, may not know what an appraiser needs, or may have been advised by counsel to provide nothing outside formal requests.

Remote appraisal depends on whoever holds the camera

AppraiseItNow's own work shows how heavily appraisal of personal property, equipment and vehicles relies on photographs and documents. 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.

A remote appraisal depends on someone supplying photographs and documents. In a contested divorce, the person with access to the item and the person asking for the appraisal may be different people. The non-holding spouse is the client but not the person with the camera. The holding spouse has the camera but is not the client.

What a remote appraisal needs is specific. 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.

Read against the divorce problem, this list is a map of exactly what a non-holding spouse lacks. Mileage, engine hours and whether a machine runs are facts that only someone at the item can check. The back of a painting, with its labels and inscriptions, is visible only to someone who can take it off the wall.

Missing information recurs in appraisal work

Gaps arise in appraisal work generally. 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.

Those figures show that incompleteness occurs regularly in AppraiseItNow's own work. In a divorce where the missing facts sit with the other spouse, the usual remedy of asking the client may be of limited use, because the client may not have the information either.

The asset classes most affected are the common ones

Divorce is a modest share of AppraiseItNow's appraisal work. 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.

The asset mix, however, points directly at the property most likely to be held by one spouse. 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.

Vehicles, household contents and equipment are mobile, often used daily by one person, and frequently kept at a location the other spouse no longer visits. They are also the categories whose values turn on condition facts that change with use.

Value-driving facts and who usually holds them

The table below sets out, for each asset type in the photo requirements, the facts that tend to drive value and what a non-holding spouse commonly has instead. The right-hand column is a practical observation, not a rule.

Asset type	Facts that tend to drive value	What a non-holding spouse often has
Vehicles	Mileage, interior and exterior condition, damage, modifications	Title or registration copy, loan paperwork, insurance card, older photos, service receipts
Boats	HIN, engine hours, hull and helm condition, engine condition	Purchase documents, registration, marina or storage invoices, older photos
Machinery	Hours, whether it runs, attachments, wear	Purchase invoices, equipment lists, financing schedules, business depreciation records produced in the case
Fine art	Signature, back of the work, frame, condition, labels	Purchase receipts, gallery correspondence, insurance schedules, photographs taken in the home
Household items	Identity and condition of each item or group	Household photos, receipts, insurance inventories, memory of what was in each room

The gap between the middle and right-hand columns is where extraordinary assumptions arise. An appraiser can often identify an item from the right-hand column but cannot observe the middle-column facts as they stand today.

What USPAP and state divorce law say about assumed facts, inspection and valuation dates

Three bodies of guidance meet in a divorce appraisal of unseen property:

- state law and the court, which set the date and standard of value;
- appraisal standards, which govern inspection and assumptions;
- the terms of the assignment, which counsel defines.

The rules quoted here are few. Reading them together explains most of the practical difficulty.

State law and the court set the valuation date and standard

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. Readers checking the New York position can consult the statute directly (N.Y. Domestic Relations Law § 236(B)(4)(b)). Readers checking the California position can consult its Family Code provision (Cal. Fam. Code § 2552).

The practical point for unseen property is that the valuation date may fall well before the day any inspection could occur. That is the case where the court may choose a date as early as the filing of the case. Even where the date sits near trial, an appraisal may be prepared before trial, so the date of any inspection and the valuation date may still differ.

Because the date and standard are set by state law and the court, the appraiser takes them from counsel rather than choosing them. 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.

The plural "dates" matters. Counsel may need values at more than one date, for example to support alternative positions. An assumption about an unseen item may have to be framed separately for each date.

The effective date can be in the past

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. That definition comes from the professional standards (USPAP, 2024 edition).

In a divorce appraisal, the effective date is whatever date counsel sets, and depending on the date counsel and the court set, it may be in the past. When it is, a perfectly cooperative inspection today still shows the item as it is today, not as it was on the effective date. The appraiser then has to bridge the two dates. Sometimes the bridge is simple: a painting in stable storage is unlikely to change. Sometimes it is not: a work truck in daily use may have accumulated mileage and wear since the effective date.

Inspection is a scope-of-work decision

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. That framework also comes from the professional standards (USPAP, 2024 edition).

Two consequences follow. First, because an in-person inspection is not required in every assignment, the question for an item the appraiser has not physically seen is whether the scope produced credible results. Second, the decision belongs to the appraiser. Counsel can supply information, and the attorney confirms whether a remote appraisal is acceptable for the case. The judgment about how much inspection a credible result needs, however, sits with the appraiser and is described in the report.

The elements of an extraordinary assumption

The standard quoted in the summary contains several elements. Practitioners can read each one as a question to ask of any assumption about an unseen item. The questions below are practical readings offered for analysis. They do not add to the standard.

1. **Is the assumption needed for credible results?** If the fact can be established another way, through a document, a photograph or an identifier, the assumption may not be needed. If the fact does not affect value, the assumption may not be needed either.
2. **Is there a reasonable basis for it?** An assumption about mileage supported by a recent service invoice may stand on firmer ground than one supported by recollection alone.
3. **Does the analysis stay credible with the assumption in place?** An assumption can look reasonable in isolation and still leave the conclusion unreliable. This can happen when the assumed fact drives most of the value and the plausible range of that fact is wide.
4. **Does the report say so clearly?** A reader of the report, including a judge, should be able to find the assumption, understand what was assumed, and see that the conclusion depends on it.

What depends on the case and on counsel

The professional standards quoted above address what an appraiser may assume, how inspection fits within the scope of work and what the report states. Other questions turn on the particular case and on the judgment of counsel: how a non-holding spouse obtains access to property the other spouse holds, how a dispute over inspection is resolved, and how a court weighs a conclusion that rests on an assumption.

An appraiser's part is to state the scope and the assumptions in the report so that counsel and the court can weigh them.

Practical consequences of valuing an item the appraiser cannot see

When an appraiser values an unseen item under an extraordinary assumption, the resulting conclusion has properties that spouses and attorneys need to understand before relying on it in negotiation or at trial.

The value conclusion becomes conditional

An appraisal that rests on an extraordinary assumption gives a value that holds if the assumed fact is true. It does not say the fact is true. In settlement negotiation, this distinction is easy to lose. A number in a report tends to be treated as a fact in itself.

A careful reader treats the assumption as part of the number. The opposing side can accept the value, dispute it, or dispute the assumption beneath it. The last of these can be an effective line of attack.

The dispute shifts from value to basis

An opposing appraiser who has seen the item has an obvious advantage: observation. The non-holding spouse's appraiser can rarely match that advantage. The strength of that appraiser's work instead lies in the basis record.

A conclusion that rests on a dated, specific document is harder to dismiss than one that rests on a general description. Examples include a service invoice recording mileage, an insurance schedule describing a painting, or a financing schedule listing a machine's model and year. This is why the recommendations below concentrate on documents.

A thin basis may mean no credible assumption

The conditions on an extraordinary assumption are not satisfied simply because an item cannot be seen. If the non-holding spouse has little to support a key fact, the appraiser may judge that the conditions are not met. How to treat the affected item is then a matter of the appraiser's judgment and the scope of work, and the report describes the choice.

Possible approaches include:

- narrowing what is valued;
- describing some items as identified, with the limits of the information stated;
- waiting for information before completing the item.

None of these approaches is a failure. Each is a more honest report than one carrying an assumption the record cannot support.

The valuation date compounds the uncertainty

Where the effective date is in the past, two separate uncertainties can stack:

- the item's present condition, which the appraiser cannot see;
- the change in condition between the effective date and the present, which no one may be able to see directly.

A report that addresses only the first uncertainty can mislead. A clear report states which date the assumption concerns.

Identifiers arrive faster than photographs

Some information is easier to obtain than other information, and that pattern bears directly on assumptions. 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.

Those figures come from 162 requests for missing details. They are consistent with a practical observation. Identifiers and receipts tend to exist on paper that a client can find. Photographs require someone to stand next to the item.

In a divorce, the non-holding spouse often already possesses the paper but not the item. A practical way to strengthen an assumption is usually to gather documents, not to wait for photographs that depend on the holding spouse.

Hypothetical example 1: a vehicle in daily use by the holding spouse

Hypothetical facts: A non-holding spouse's attorney requests an appraisal of a full-size pickup truck. The holding spouse drives the truck daily for work. The valuation date counsel sets is the date the case was filed, roughly a year before the appraisal. The non-holding spouse has:

- a copy of the title, which identifies the VIN;
- a dealer service invoice dated two months before the valuation date, which records the odometer reading;
- several phone photographs of the exterior taken around the same time.

There are no interior photographs and no current photographs.

Analysis: The VIN establishes the year, make, model and configuration, so no assumption is needed for identity. Mileage drives value, and the truck's present mileage is unknown. The valuation date is past, however, so present mileage matters less than mileage on the effective date.

The service invoice is the kind of document an appraiser could weigh in deciding whether there is a reasonable basis for an assumption about mileage near that date. Whether that condition is met is the appraiser's judgment, explained in the report. The exterior photographs are similarly material for exterior condition. Interior condition has the weakest support.

A clearly stated report would identify each assumed fact, the document supporting it and the date to which it relates. It would also note that the conclusion depends on those facts.

What would change with access: an inspection would show present condition and mileage, which describe the truck a year after the valuation date. Access would confirm identity and reveal any damage. It would not directly show the truck's condition on the effective date.

Hypothetical example 2: machinery in a business one spouse operates

Hypothetical facts: One spouse operates a small fabrication business. The non-holding spouse's counsel seeks values for a CNC machine, a forklift and a welding setup kept at the shop. The non-holding spouse has:

- an equipment list from a financing application that gives makes, models and years;
- the business's depreciation schedule, produced in the case.

There are no photographs, no hour readings and no information on whether each machine runs.

Analysis: For machinery, the photo requirements call for a few photos of each machine, the hours and whether it runs. The financing list supports identity. A depreciation schedule records accounting cost recovery, not condition, so it says little about hours or operating status.

Whether an assumption that the CNC machine is in operating condition would have a reasonable basis is a judgment for the appraiser. That fact affects value heavily, and the record says nothing about it. The forklift and welding setup may call for different judgments if they are lower-value items with narrower plausible ranges. Whatever the appraiser decides, the report would state the approach and show how heavily the conclusion depends on any assumption.

What would change with access: even a short set of photographs and an hour reading from each machine, supplied by the holding spouse, would remove most of the assumptions.

Hypothetical example 3: a boat at a marina in another state

Hypothetical facts: The holding spouse keeps a cabin cruiser at a marina several states from the non-holding spouse. The non-holding spouse has:

- the purchase agreement, which lists the HIN, the engine make and the model year;
- marina invoices showing the boat was in the water each season;
- photos from a vacation taken two years before the valuation date.

Analysis: The HIN and purchase agreement support identity and original equipment. Engine hours and the condition of the engine and interior drive value and are unknown. The marina invoices show use but not condition. The two-year-old photographs predate the valuation date by a meaningful interval.

An appraiser could consider treating general condition consistent with regular seasonal use as an extraordinary assumption. Whether the basis is reasonable is a judgment the appraiser must make and explain. The report would need to state the age of the photographs and what the invoices do and do not show.

What would change with access: the photo requirements for boats call for the outside with the cover off, the helm, the engine and the inside, plus the HIN and engine hours. That information sits almost entirely with the holding spouse or the marina.

Hypothetical example 4: artwork removed from the marital home

Hypothetical facts: Before separation, the holding spouse removed four paintings from the marital home. The non-holding spouse has:

- an insurance schedule listing each painting by artist and title;
- room photographs in which the paintings appear in the background;
- a gallery receipt for one painting.

Analysis: For fine art, the photo requirements call for the front, back, signature and frame. The background photographs show the fronts at an angle. They show no backs, no signatures in legible detail and no labels.

The gallery receipt is the kind of document an appraiser could weigh for the identity and attribution of one painting. The insurance schedule differs in kind. It records what the household told an insurer, not what an appraiser has verified.

How to treat each of the four paintings, including whether any assumption about attribution or condition is supported well enough, is a matter of the appraiser's judgment. The appraiser decides the scope of work, and the report describes it and states any assumption plainly.

What would change with access: clear photographs of the front, back, signature and frame of each painting would address the attribution question that the background photographs cannot.

Summary of consequences across the examples

Example	Fact where documents give the most support	Fact where support is weakest	Document that did the most work
Vehicle	Mileage near the valuation date	Interior condition	Dated service invoice
Machinery	Identity and year	Whether each machine runs	Financing equipment list
Boat	Identity and original equipment	Engine hours and condition	Purchase agreement with HIN
Artwork	Identity of the receipted painting	Attribution of unreceipted works	Gallery receipt

The pattern is consistent across these hypothetical examples. Documents establish identity well and condition poorly. Condition facts depend on access to the item.

Recommendations for spouses and family-law attorneys handling withheld items

The recommendations below follow from the rules and consequences set out above. They are practical steps, not legal advice. Where a step involves obtaining access to property, counsel decides how to pursue it within the procedures available in the case.

Before the appraisal begins: fix the assignment terms

1. **Have counsel provide the appraiser with the valuation dates and standard as counsel sets them.** These come from state law and the court through counsel. Where

counsel needs more than one date, list each one, because an assumption may need to be framed separately for each.

2. **State which side the appraiser acts for.** The appraiser's access to information, and the likelihood of assumptions, depends heavily on whether the client holds the property.
3. **Confirm whether a remote appraisal is acceptable.** The attorney's confirmation belongs at the start of the assignment, not after a report is delivered.
4. **Identify the withheld items early.** A list that separates items the client holds from items the other spouse holds tells the appraiser where assumptions are likely and where effort should go.

AppraiseItNow collects what the appraiser needs before the appraisal starts, and asks only for what the appraiser needs. In a divorce with withheld items, the documents that make up the basis record are among the things an appraiser may need at the outset.

Building the basis record from documents the non-holding spouse can reach

The non-holding spouse usually has more than they realize. The checklist below lists common sources and the facts each one tends to support.

Source	Facts it commonly supports
Title or registration copy	Vehicle or boat identity, VIN or HIN, ownership
Loan or financing documents	Identity, year, model, sometimes equipment lists
Insurance declarations or schedules	Existence and description of items, sometimes stated values
Dealer or shop service invoices	Mileage or hours on a specific date, repairs, condition notes
Marina, storage or hangar invoices	Location and periods of use
Purchase receipts and gallery correspondence	Identity, attribution, date and source of acquisition
Household and event photographs	Existence, general appearance, presence in the home on a date
Business records produced in the case	Equipment lists and acquisition dates

Three practices make these documents more useful:

- **Date everything.** A document helps an assumption most when it records a fact on a date close to the effective date.
- **Keep originals intact.** Photograph or scan documents without cropping, so the date and source are visible.

- **Match documents to items.** A spreadsheet linking each withheld item to the documents that describe it lets the appraiser see at once where the basis is strong and where it is thin.

Drafting and reading the assumption itself

An extraordinary assumption is most defensible when it is narrow. "The vehicle's condition is assumed to be average" is broad. "The vehicle's odometer reading on the effective date is assumed to be consistent with the reading on the service invoice dated two months earlier" is narrow and tied to a document.

Counsel reviewing a draft report can check the following:

- Is each assumption stated separately, rather than folded into a general caveat?
- Does each assumption name the fact assumed, the date it relates to and the basis relied on?
- Does the report make clear that the conclusion depends on the assumption?
- Where an item was not valued because the information was too thin, does the report say so plainly?

Pursuing access and planning for an inspection

Remote appraisal and in-person appraisal are both available tools. Most AppraiseItNow appraisals are completed remotely from photographs and documents; when an inspection is needed, an appraiser visits the asset in person.

An in-person visit changes who identifies the property. 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.

In a divorce, the address may be the holding spouse's residence or business. A visit therefore depends on access that counsel may need to arrange. Where access is uncertain, three steps help:

1. **Request specific photographs rather than general cooperation.** Asking the holding spouse for the items in the photo requirements is concrete and easy to evaluate. For a vehicle, that means the outside, the inside and the mileage. For a machine, that means a few photos, the hours and whether it runs.
2. **Ask for identifiers first.** Identifiers and receipts are usually easier to produce than photographs. They may resolve identity questions immediately, which leaves fewer facts to assume.
3. **Plan for later information.** Information that arrives after a report is prepared may affect the analysis. Where the effective date is past, anyone reviewing new photographs or an inspection will still need to address how present condition relates to condition on that date.

Using a conditional value in settlement

A value that rests on an extraordinary assumption is still a useful negotiating figure, provided both sides understand its terms. Counsel for the non-holding spouse can present the assumption openly. This invites the holding spouse either to accept the value or to produce the information that would replace the assumption with an observed fact. Either outcome improves the record.

Counsel for the holding spouse, reviewing the other side's report, can test each assumption against the elements described above. Any response is stronger when it offers evidence, such as photographs, records or an inspection, rather than simply asserting that the assumption is wrong.

Review questions for attorneys and spouses

1. Which items in the case are held by the other spouse, and which value-driving facts about each item are unknown to the client?
2. What valuation dates and standard has counsel identified, and has the appraiser received them as counsel sets them?
3. Has the attorney confirmed whether a remote appraisal is acceptable?
4. For each withheld item, which dated document comes closest to the effective date?
5. Does each extraordinary assumption in the report name the fact, the date and the basis?
6. Are there items the appraiser could not value credibly, and does the report say so?
7. If access becomes available, what specific photographs or records would replace each assumption?
8. Where the effective date is past, how would observing the item now differ from its condition on that date?

A closing observation on the limits of the tool

The extraordinary assumption exists because appraisers routinely face facts they cannot verify. Divorce sharpens the problem because the unverifiable fact is often within reach of the opposing party. The tool works when it is used narrowly, supported by documents and disclosed plainly. It works poorly when it fills a large gap with a broad guess.

For spouses and attorneys, the most effective response to withheld property is rarely to argue about the assumption after the report is written. It is to build the basis record before the appraisal begins and to seek the specific information that would make the assumption unnecessary.

References cited in this white paper on divorce extraordinary assumptions

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