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Money / Property / Buying and selling

Trapped and miserable: The reality of divorcing in Britain's grim housing market

Soaring house prices and rents make it impossible for some couples to move out and move on



Increasing numbers of separating couples are 'magpie parenting' – opting to share the family home | CREDIT: Antonio Diaz/iStockphoto

Susie and her husband James appeared to be living the dream. They welcomed two lively young children and, a few years ago, the couple bought a beautiful cottage in a chocolate-box village in the West Country with a “rock-bottom mortgage interest rate”.

Reality hit last year when they split up – but that was only the start of their problems. They are now unhappily trapped in their once-idyllic home because they can't afford to move.

“There are nine months to run on the mortgage and we obviously wouldn't be able to get such a good deal now, so we can't afford to sell up and buy two new homes,” says Susie, a nurse. “It's really hard to share a two-bedroom cottage when you're in the middle of a divorce.”

The ex-couple, who aren't using their real names, have cobbled together a system. James, who works in IT, goes to his office during the day and Susie works when the children are at nursery. Susie picks them up, gets them ready for bed and, when James comes home from work, Susie then goes out to do an evening shift. At weekends, they take it in turns to have the children at home while the other goes to stay with friends or family.

“We avoid each other as much as possible but, as you can imagine, it is a very unhappy, unsatisfactory and exhausting way to live,” Susie says. “It's also unsustainable in the long term.”

January is typically a busy month for divorce lawyers as Christmas puts an added strain on relationships. However, the combination of [increased mortgage rates](#), the cost of living crisis, a slow property market and [record rents](#) means that many couples who no longer want to be together aren't able physically to separate their lives.

A third of people responding to a survey conducted last summer by Stowe Family Law, the UK's largest family law firm, said rising mortgage rates meant they could simply not afford to live alone.

Nicky Hunter, of Stowe Family Law, says: “We have seen more and more separating couples face the challenge of taking a family income and stretching it across two homes when, in some cases, it was already a struggle to cover the costs of one.”

Costs when getting a divorce in the UK

Category	Cost (Excl VAT)
Average cost of a divorce lawyer	£500-£1,500
Average cost of a contested divorce	£2,000-£30,000+
Divorce court filing fee	£593
Fee for financial order applications	£255
Fee for child arrangement orders	£215
Fee for enforcement orders	£110
Average cost of divorce mediation (per hour)	£200-£400
Average cost of divorce arbitration	£2,500-£5,000+

Breaking up is harder to do

There were around [98,000 divorces](#) in the year to September, according to the latest quarterly family court statistics. This is a little lower than the average for the preceding five years, and down from over 150,000 a decade ago.

Although there were spikes in divorce petitions after Covid lockdowns, and also after “no fault” divorces were introduced in April 2022, these effects are now ebbing away, says Lucian Cook, of Savills estate agency.

Based on a range of data sources and historic trends, Mr Cook believes the average age of divorcing men is around 47.5. “This is three years older than a decade ago, and 10 years older than the average 30 years ago,” he says.

Divorce statistics obviously don't capture cohabiting couples, and there are many people thinking about splitting up, according to Louisa Whitney, of Surrey-based LKW Family Mediation. "Mediation sessions are trickier as people are overwhelmed, frustrated and emotional," she says. "A global pandemic, a cost of living crisis and a separation within four years is a lot to deal with."

The issue is that the numbers often don't add up for people to divorce, says Adrian Anderson, of mortgage broker Anderson Harris. "Getting divorced is usually extremely expensive," he says. "People have geared their lives around the ultra-low mortgage rates we had for many years. Higher rates have meant that it may no longer be affordable for couples to take a larger mortgage, or move on and take two mortgages."

In some cases Mr Anderson has seen, this has actually made some unhappy couples who were thinking of getting a divorce change their minds.

Living apart together

For those couples who do split but can't afford to move, increasing numbers are opting to share the family home – an arrangement often referred to as "magpie parenting" or "bird nesting".

Among them are the parenting influencer Anna Whitehouse, known on Instagram as "Mother Pukka", and her ex-husband, Matt Farquharson, an author. They split up last year and Mr Farquharson described their new living pattern as: "Divorcing parents keep the family home, where the kids live permanently, with one parent there each week. The rest of the time they are in a shared second flat or places of their own. It means less disruption for the kids, who aren't forced to move around or to see one parent only at weekends."



Anna Whitehouse, aka Mother Pukka, has a shared home arrangement with her ex-husband | CREDIT: Clara Molden

Nesting is nevertheless fraught with complications and can be confusing for the children, says Harrison Boyd, of the specialist divorce and family solicitors Moss Fallon. “It also fails to give the couple emotional closure and is likely to become untenable if one of the parents meets a new partner,” he adds.

Mostly, a nesting arrangement is only viable in the short-term, says Joanna Farrands, of the law firm Moore Barlow. “Boundaries are the most important element,” she explains. “Sleeping arrangements when coming back to the house need to be considered, as do bills and childcare arrangements.”

Reluctant bird nesters Susie and James are pinning their hopes on the housing market improving this year. “We hope that, as mortgage rates drop and prices in the area start to pick up again, we will be able to sell up when our mortgage deal expires, move into different properties and move on with our lives,” Susie says.

The realities of selling up

For those splitting couples who are taking the conventional route of selling the marital home, dividing the equity and buying two smaller homes with the proceeds, the reality can be brutal – especially if they want to stay in the same area to minimise disruption for their school-age children. Stuart Forsdike, of PCS Legal, says: “Despite some recent declines, property prices and interest rates remain high, which makes it challenging.”

Sally Harmer, a drama teacher, used to live with her husband and two children in a four-bedroom, four-bathroom detached home in a village outside Rochester, in Kent. After a recent amicable divorce, she was dismayed by what her property budget of £300,000 could buy her.



Sally Harmer: 'I cried at my lack of viable options'

“I actually cried at the lack of viable options,” says Mrs Harmer, 49, who was looking for a two-bedroom home close to where her children were brought up. “The properties within my budget were so tiny, and nothing I viewed lived up to the pictures online.”

She eventually found a two-bedroom home to buy for £260,000 last year at Sovereign Gate, former Ministry of Defence homes near Chatham that have been bought and refurbished by the property company Annington. “Now that I’m on my own, a non-negotiable for me was feeling safe, which I do,” Mrs Harmer says.

The practicalities of selling up after a split can be tricky if the property takes a long time to shift. Michelle Niziol, of IMS Property Group, says: “This can add more stress to an already stressful situation.”

Sometimes the selling process is hampered if the partners disagree. According to Marc Schneiderman, of the north London estate agency Arlington Residential: “It is not unusual for one to move out and want the house to be sold quickly, while the other is determined to stay in the house for as long as possible or indefinitely. This causes real issues, especially with regards to viewings on the property.”

In one of Mr Schneiderman’s recent cases involving the sale of a divorcing couple’s house, one of the parties went so far as to obtain a court order to ensure the house could be shown to prospective buyers only at certain times and with pre-agreed notice periods.

And then there are some wealthy divorcing sellers who will keep the sale of the marital home so secretive that estate agents and prospective buyers will need to sign a non-disclosure agreement. Jo Eccles, of the prime central London buying agency Eccord, says: “We’ve bought many properties very discreetly from couples who are separating, but they’ve kept it from everyone – even the children – until the transaction has been concluded.”

Tough times for tenants

Often, when a couple splits up, one partner will move out and into a rental while they wait to sell the marital home. Research at the end of last year by Credit Karma found that 58pc of renters aged 45 or over previously owned homes, with 21pc of those renting after a relationship breakdown, rising to 28pc of those aged 55 to 64.

These people are being thrust into an [overheated rental market](#). Rents on newly-let properties rose by a record 10.2pc in the year to December 2023, according to Aneisha Beveridge of Hamptons estate agency. “This cost a tenant who moved into a new home an average of £124 a month more in rent, equating to an extra £1,488 each year,” she says.

In some areas, splitters who can afford it will look to rent a holiday let for a few months. This was the case with a businessman from Worcestershire going through a separation, who has just moved into a furnished two-bedroom barn conversion through The Cotswold Letting Agency, which rents high-end properties costing £2,000 to £10,000 a month. The agency’s Fergus Mitchell says his company is seeing consistent demand for rentals from those going through a separation or divorce.

However, for many people with much smaller budgets, a houseshare is the only option. One woman who works in marketing, and wished to remain anonymous, moved into a shared house with two other women in east London after her 10-year relationship broke down late last year. “I’m 42 and really didn’t think I’d be back living like a student at my age. It’s really depressing.”

However, others – such as one businessman we spoke to, who’s in his 50s – are finding solidarity living with other “bruised souls”. He is currently living in a rented house with two other men of a similar age who are also going through a separation or divorce. “It’s comforting, because we can share sob stories as well as bills,” he says.