

- (5) THE DURATION OF THE MARRIAGE;
- (6) THE AGE AND THE PHYSICAL AND MENTAL CONDITION OF THE PARTIES;
- (7) HOW AND WHEN SPECIFIC MARITAL PROPERTY WAS ACQUIRED, INCLUDING THE EFFORT EXPENDED BY EACH PARTY IN ACCUMULATING THE MARITAL PROPERTY;
- (8) ANY AWARD OR OTHER PROVISION WHICH THE COURT HAS MADE UNDER THIS SUBTITLE 6A WITH RESPECT TO FAMILY USE PERSONAL PROPERTY OR THE FAMILY HOME, AND ANY AWARD OF ALIMONY; AND
- (9) SUCH OTHER FACTORS AS THE COURT DEEMS NECESSARY OR APPROPRIATE TO CONSIDER IN ORDER TO ARRIVE AT A FAIR AND EQUITABLE MONETARY AWARD.

(C) A MONETARY AWARD MADE UNDER THIS SECTION SHALL CONSTITUTE --A-- JUDGMENT MAY BE REDUCED TO A JUDGMENT TO THE EXTENT THAT ANY PART OF THE AWARD IS DUE AND OWING.

3-6A-06. FAMILY HOME.

(A) THE AUTHORITY CONFERRED BY THIS SECTION SHALL BE EXERCISED PRIMARILY TO PERMIT THE CHILDREN OF THE FAMILY TO CONTINUE TO LIVE IN AN THE ENVIRONMENT AND COMMUNITY WHICH IS FAMILIAR TO THEM AND TO PERMIT THE CONTINUED OCCUPANCY OF THE FAMILY HOME AND POSSESSION AND USE OF FAMILY USE PERSONAL PROPERTY BY A SPOUSE WITH CUSTODY OF A MINOR CHILD WHO HAS A SPECIAL NEED TO LIVE IN THAT HOME. HOWEVER THE CONTINUED USE, OCCUPANCY, AND POSSESSION OF THE FAMILY HOME MAY NOT BE CONTINUED UNDER THE AUTHORITY CONFERRED BY THIS SECTION IF THE SPOUSE HAVING THE CONTINUED USE, OCCUPANCY, AND POSSESSION REMARRIES; AND ALSO THE CONTINUED USE AND POSSESSION OF FAMILY USE PERSONAL PROPERTY MAY NOT BE CONTINUED UNDER THE AUTHORITY CONFERRED BY THIS SECTION IF THE SPOUSE HAVING THE CONTINUED USE AND POSSESSION REMARRIES. IN EXERCISING ITS AUTHORITY THE COURT SHALL CONSIDER EACH OF THE FOLLOWING FACTORS:

- (1) THE BEST INTERESTS OF ANY MINOR CHILDREN OF THE PARTIES CHILD;
- (2) THE RESPECTIVE INTEREST OF EACH SPOUSE IN CONTINUING TO USE THE FAMILY USE PERSONAL PROPERTY OR OCCUPY OR USE THE FAMILY HOME OR ANY PORTION OF IT AS A DWELLING PLACE;
- (3) THE RESPECTIVE INTEREST OF EACH SPOUSE IN CONTINUING TO USE THE FAMILY USE PERSONAL PROPERTY OR OCCUPY OR USE THE FAMILY HOME OR ANY PART OF IT FOR THE PRODUCTION OF INCOME;
- (4) ANY PROVISION OR AWARD MADE BY THE COURT IN THE EXERCISE OF ANY OTHER AUTHORITY CONFERRED BY THIS SUBTITLE; AND