

~~(5) ANY OTHER FACTORS WHICH THE COURT MAY CONSIDER NECESSARY OR APPROPRIATE IN ORDER TO ACHIEVE A FAIR AND EQUITABLE ADJUSTMENT OF THE RIGHTS OF THE PARTIES CONCERNING THE FAMILY HOME. ANY HARDSHIP IMPOSED UPON THE SPOUSE WHOSE INTEREST IN THE FAMILY HOME IS INFRINGED UPON BY A USE AND POSSESSION ORDER.~~

(B) WHEN GRANTING A DIVORCE, LIMITED OR ABSOLUTE DIVORCE, OR ANNULMENT, THE COURT MAY DETERMINE WHICH PROPERTY IS THE FAMILY HOME AND FAMILY USE PERSONAL PROPERTY.

(C) (1) REGARDLESS OF HOW THE FAMILY HOME OR FAMILY USE PERSONAL PROPERTY IS TITLED, OWNED, OR LEASED, THE COURT MAY DECIDE THAT ONE OF THE PARTIES SHALL HAVE THE SOLE CONTINUED POSSESSION AND USE OF THAT PROPERTY, OR IT MAY DIVIDE THE POSSESSION AND USE OF THE PROPERTY BETWEEN THEM.

(2) THE COURT MAY ALSO ORDER EITHER OR BOTH OF THE PARTIES TO PAY ALL OR ANY PART OF ANY MORTGAGE PAYMENTS OR RENT, ALL OR ANY PART OF THE INDEBTEDNESS RELATED TO THE PROPERTY, THE COST OF ANY MAINTENANCE, INSURANCE, ASSESSMENTS AND TAXES, AND ANY OTHER SIMILAR EXPENSES IN CONNECTION WITH THE PROPERTY.

(D) THE COURT MAY MAKE A PRELIMINARY DETERMINATION OF WHICH PROPERTY IS THE FAMILY HOME OR FAMILY USE PERSONAL PROPERTY, AND MAY EXERCISE PENDENTE LITE THE POWERS OVER THE FAMILY HOME AND FAMILY USE PERSONAL PROPERTY WHICH ARE GRANTED IN THIS SECTION. THESE PRELIMINARY AND PENDENTE LITE DETERMINATIONS ARE SUBJECT TO MODIFICATION DURING THE PENDENCY OF THE PROCEEDING.

(E) ANY PROVISION IN ANY TEMPORARY OR FINAL ORDER OR DECREE CONCERNING THE FAMILY HOME OR FAMILY USE PERSONAL PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS AND LIMITED TO THE PERIOD OF TIME SPECIFIED BY THE COURT, AND IS SUBJECT TO MODIFICATION OR DISSOLUTION BY THE COURT, AS THE CIRCUMSTANCES AND JUSTICE MAY REQUIRE. HOWEVER, ANY SUCH ORDER OR DECREE OR ANY MODIFICATION THEREOF CONCERNING THE FAMILY HOME OR FAMILY USE PERSONAL PROPERTY SHALL BE MADE FOR A TIME PERIOD NOT TO EXCEED 3 YEARS FROM THE DATE OF THE GRANTING OF THE DIVORCE LIMITED OR ABSOLUTE DIVORCE, OR ANNULMENT. NEVERTHELESS, IF THE PROVISION CONCERNING THE FAMILY HOME OR FAMILY USE PERSONAL PROPERTY IS A PART OF AN ORDER OR DECREE INCIDENT TO A DIVORCE A MENSA ET THORO, THE PROVISION MAY NOT SUBSEQUENTLY BE EXTENDED FOR AN ADDITIONAL PERIOD OF TIME AS PART OF AN ORDER OR DECREE INCIDENT TO A DIVORCE A VINCULO.

(F) UPON THE TERMINATION OF A USE AND POSSESSION AWARD ORDER OF THE FAMILY HOME OR FAMILY USE PERSONAL PROPERTY, THE PROPERTY SHALL BE TREATED AS MARITAL PROPERTY IF IT SO QUALIFIES, AND THE COURT SHALL CONSIDER THOSE FACTORS IN SECTION 3-6A-05 IN ARRIVING AT A DIVISION OF THE PROCEEDS OR VALUE OF THE PROPERTY. IF HOWEVER, THE FAMILY HOME OR THE ITEM OF FAMILY USE PERSONAL PROPERTY WAS