

2015 WL 5279051

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District Court of Appeal of Florida,
Fifth District.

Hang Thi Vu CORCORAN, Appellant,
v.
Edward Patrick CORCORAN, Appellee.

No. 5D14-1746. | Sept. 11, 2015.

Appeal from the Circuit Court for St. Johns County, John
M. Alexander, Judge.

Attorneys and Law Firms

Leonard R. Ross and Sara E. Glover, of The Law Office
of Leonard R. Ross., Daytona Beach, for Appellant.

Deborah L. Greene and Andrea C. Jevic, of Combs
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Opinion

PER CURIAM.

*1 Hang Thi Vu Corcoran (“Appellant”) appeals the trial
court’s order denying her motions following the final
judgment dissolving her marriage to Edward Patrick
Corcoran (“Appellee”). Appellant raises a number of
issues in this appeal. We affirm all without further
discussion, with the exception of the following four
issues. On these points, we reverse for reconsideration.

First, the trial court is directed to make findings of fact as
to the reduction in monthly alimony due to Appellant’s
move from the marital home. Appellant’s financial
affidavit listed her total residential expenses in the marital
home as \$1,595.60 per month. She testified that her
current rent was \$1,050.00 per month. The difference in
the cost was therefore \$545.60 rather than the \$826.99 set
out in the final judgment. The trial court shall address the
reason for this disparity or adjust the alimony award
accordingly.

Specific findings shall also be made as to the parties’
financial need and ability to pay attorney’s fees and costs.
A trial court considers the parties’ financial situation in
determining entitlement to attorney’s fees. *Harrison v.*
Gattozzi, 992 So.2d 865, 866 (Fla. 5th DCA 2008).
Because specific findings as to need and ability to pay are
required for meaningful appellate review, we remand.
See, e.g., Walsh v. Walsh, 600 So.2d 1222, 1223 (Fla. 1st
DCA 1992).

Third, the trial court shall indicate the evidentiary basis
for its findings as to shared parental responsibilities and
passport renewal as well as any findings that Appellant
was in contempt of court as to those issues. *See Plichta v.*
Plichta, 899 So.2d 1283, 1286 (Fla. 2d DCA 2005)
 (“Therefore, we reverse those additional provisions of the
final judgment that address the following issues not
reflected in the trial judge’s rulings....”).

Lastly, the trial court is directed to hold Appellant solely
responsible only for repairs of mold-related damage in the
marital home; or, in the alternative, to indicate an
evidentiary basis to hold Appellant responsible for all
future repair costs. In particular, the record does not
contain evidence that the air conditioning unit was broken
due to Appellant’s actions. After a dissolution of
marriage, the parties become “equally responsible for all
payments necessary to maintain their ownership of the
marital property until its sale, including mortgage
payments, taxes, insurance and repairs.” *Babb v. Babb*,
771 So.2d 1215, 1217 (Fla. 5th DCA 2000) (citing
Hosack v. Hosack, 679 So.2d 852, 854 (Fla. 1st DCA
1996)). The trial court shall further clarify that Appellant
is to receive credit for her maintenance of the marital
home upon its sale, other than costs directly associated
with repairing the mold damage.

AFFIRMED in part; REVERSED in part; REMANDED.

SAWAYA, PALMER and TORPY, JJ., concur.

All Citations

--- So.3d ----, 2015 WL 5279051

