STATE OF MICHIGAN

COURT OF APPEALS

INJA HONG KIM

Plaintiff-Appellee,

v

JE HYUN KIM,

Defendant-Appellant.

UNPUBLISHED
July 19, 1996

No. 179217
LC No. 93-2557-DO

Before: O'Connell, P.J., and Sawyer and G.R. Corsiglia,* JJ.

PER CURIAM.

Defendant husband appeals as of right the division of property ordered by the circuit court incident to a judgment of divorce. We affirm.

Defendant first argues that the circuit court erred in considering two apartment buildings that were acquired by defendant prior to the marriage as part of the marital estate and, therefore, subject to division. We review the court's findings of fact for clear error, and, in light of the factual findings, consider whether the court's ultimate dispositional ruling is fair and equitable. *Hanaway v Hanaway*, 208 Mich App 278, 292; 527 NW2d 792 (1995). While property owned by one party prior to a marriage is generally regarded as separate property, see *Lee v Lee*, 191 Mich App 73; 477 NW2d 429 (1991), such property may be awarded to the other spouse where he or she contributed to the "acquisition, improvement, or accumulation of the property." MCL 552.401; MSA 25.136.

Here, as demonstrated by the unrefuted evidence and as conceded by defendant in his brief on appeal, plaintiff's "income was considered in obtaining a loan for one of the apartment buildings." Given that throughout the proceedings below the parties treated the two buildings as one unit, we cannot say that the court clearly erred in considering these buildings to be marital property where plaintiff undeniably contributed to the "acquisition, improvement, or accumulation" of at least one of the buildings. Additionally, we would note that this issue was also addressed to some extent when the court

* Circuit judge, sitting on the Court of Appeals by assignment.

considered the source of the marital property in arriving at an equitable division. See *Sparks v Sparks*, 440 Mich 141, 159-160; 485 NW2d 893 (1993). Therefore, we find no clear error.

Defendant next contends that the circuit court erred by failing to determine precise values for several of the marital assets. As set forth in MCR 2.517(A)(2), in actions tried without a jury, "[b]rief, definite, and pertinent findings and conclusions on the contested matters are sufficient, without over elaboration of detail or particularization of facts." While several decisions of this Court have emphasized that, in a divorce action, the court should make specific findings with respect to the value of marital assets, see, e.g., *Steckley v Steckley*, 185 Mich App 19, 23; 460 NW2d 255 (1990) (court erred where it failed to determine value of a McDonald's franchise); *McNamara v McNamara*, 178 Mich App 382, 393; 443 NW2d 511 (1989), modified on other grounds 436 Mich 862 (1990) (court erred where it failed to determine the value of a law practice), we find those decisions distinguishable in that the property in issue in those cases represented relatively large sums of money.

Here, while the court did fail to determine specific dollar values for several items, relying instead on a range of value supported by the evidence, we find the action of the court to be sufficiently "definite," MCR 2.517(A)(2), under the circumstances. Regardless of whether the high or low end of the range of values is used, the effect on the division of the entire marital estate is not more than a few percentage points either way. Given the absence of definitive professional appraisals and the relatively small effect the differing values have on the property division when considered as a whole, we find no clear error.

Having found no error with respect to the factual findings of the court, we agree that the division of property in the present case was fair and equitable. *Hanaway*, *supra*.

Affirmed.

/s/ Peter D. O'Connell
/s/ David H. Sawyer
/s/ George R. Corsiglia