

## When Partners Split Assets, What Procedure is Used?

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**Questions:** If two partners jointly own a multiunit property and want to dissolve the partnership. How can they go about dividing it?

**Answer:** If they are able to equally divide the units – for example, if it is a 40-unit property and they can each take possession of 20 units – they can do that. The question is how they should decide who gets which half. If they are able to reach a mutual agreement, that is great. If they cannot, there is a halachic procedure of making a *goral* (lottery) to determine who gets what.

There is a disagreement amongst the *Poskim* how a *goral* works. Some say that it is a means of discovering the will of Hashem. The *goral* lets us know which half of the property Hashem wants each partner to get. Others disagree and say that it is simply a procedure to resolve a dispute when there is no other solution and is not a mystical process.

There is an additional dispute when it comes to dividing items that simply cannot be split evenly. For example, if the partnership including a priceless sefer Torah or family heirlooms, and the only solution is to offer one side monetary compensation and the other side the irreplaceable item, some *Poskim* say that a *goral* cannot be used for this since the two things are fundamentally not equal. Other *Poskim* say that a *goral* would work since it is always considered a valid way to decide how assets should be divided.