

COURT OF APPEALS OF OHIO, NINTH JUDICIAL DISTRICT

Ventura v. Ventura

2026-Ohio-981 · No. 2025CA0012-M · Decided March 23, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed a Medina County domestic-relations judgment in a divorce case. The court rejected challenges to the marriage duration and de facto termination date, exclusion of untimely real-estate appraisal expert testimony, division of marital property, and valuation of a separate-property residence. The court held that the trial court acted within its discretion and that the statutory presumptive termination date was not shown to produce an inequitable result.

CASE DETAILS

COURT	Court of Appeals of Ohio, Ninth Judicial District
WRITING FOR THE COURT	Jill Flagg Lanzinger; Sutton; Stevenson
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	March 23, 2026
DOCKET	2025CA0012-M
DISPOSITION	affirmed
PROCEDURAL POSTURE	Matthew Ventura appealed from the Medina County Court of Common Pleas, Domestic Relations Division, judgment entry decree of divorce dividing the parties' property and determining the duration of the marriage. The appeal followed an earlier dismissal for lack of a final appealable order.
STANDARD OF REVIEW	The duration of a marriage, including its termination date, is reviewed for abuse of discretion and will not be reversed unless unreasonable, arbitrary, or unconscionable. The admission or exclusion of expert testimony and the management of discovery are also reviewed for abuse of discretion. A trial court's valuation and division of marital property are reviewed for abuse of discretion; valuation must be supported by competent, credible evidence.
PRECEDENTIAL VALUE	published
PARTIES	Matthew J. Ventura v. Angela Ventura

TOPICS

dissolution of marriage

equitable distribution

real estate

expert testimony

appellate procedure

PRACTICE AREAS

family law

real estate

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by using the date of the first day of the final divorce hearing as the termination date of the marriage rather than selecting a de facto termination date.
2. Whether the trial court abused its discretion by excluding Matthew's real-estate appraiser for failure to comply with the case-management order and expert-disclosure requirements.
3. Whether the trial court improperly divided the marital interest in the Worchester Lane property by crediting only the reduction in mortgage principal rather than total mortgage payments.
4. Whether the trial court abused its discretion in valuing the Worchester Lane property at \$208,520.

HOLDINGS

1. Under R.C. 3105.171(A)(2), the date of the final hearing is presumptively the termination date of the marriage for property-division purposes. A trial court may select a different de facto termination date only after determining that use of the statutory dates would be inequitable. The trial court did not abuse its discretion by using April 29, 2024, the first day of the final hearing, because Matthew did not show that the statutory date produced an inequitable division.
2. The trial court did not abuse its discretion by excluding Matthew's proposed real-estate appraiser because Matthew failed to comply with the case-management order requiring timely witness and exhibit lists and failed to provide the expert's name and written report to opposing counsel.
3. The marital component of the separate Worchester Lane property consisted of the reduction in mortgage principal during the marriage, not the total mortgage payments. The trial court properly determined the marital portion to be \$46,891.71 and awarded Matthew one-half, or \$23,445.86.
4. The trial court did not abuse its discretion by valuing the Worchester Lane property at \$208,520 because the valuation was supported by competent, credible evidence, including county records and Angela's owner testimony.

KEY QUOTATIONS

“Based on the plain language of the statute, a trial court must first determine if the use of the statutorily presumptive date of termination of marriage is inequitable before it may consider whether a different date of termination is appropriate.” (¶ 9)

“Moreover, Civ.R. 26(B)(7)(c) provides that unless good cause is shown, “a party may not call an expert witness to testify unless a written report has been procured from the witness and provided to opposing counsel.”” (¶ 24)

“Regardless, it is not the total amount of payments made during the marriage that is subject to equitable division. Rather, it is the amount of any reduction in the mortgage principal during the marriage that is subject to equitable division.” (¶ 30)

FACTUAL BACKGROUND

Matthew and Angela Ventura married on December 17, 2010, and had one child. They proceeded to a divorce trial in April and May 2024. The trial court treated the marriage as lasting through the first day of the final hearing, April 29, 2024, classified the Worchester Lane property as Angela's separate property, attributed its appreciation to market forces, and treated \$46,891.71 in mortgage-principal reduction as marital property. The court also excluded Matthew's proposed real-estate appraiser because he had not timely disclosed the expert, report, witness list, or exhibit list.

PROCEDURAL HISTORY

Angela Ventura filed for divorce on June 11, 2021, and Matthew filed an answer and counterclaim. After a trial held April 29-May 1, 2024, the trial court entered a decree of divorce on July 11, 2024. The Ninth District dismissed Matthew's attempted appeal because the order was not final and appealable. On remand, the trial court entered a second final decree on January 10, 2025. The appellate court overruled all five assignments of error and affirmed.

DISPOSITION

affirmed

CASES CITED

- Ventura v. Ventura, 2024CA0067-M (9th Dist. Nov. 19, 2024)
- Tustin v. Tustin, 2015-Ohio-3454 (9th Dist.)
- Hopson v. Hopson, 2025-Ohio-3257, ¶ 5 (9th Dist.)
- Hunt v. Hunt, 2022-Ohio-412, ¶¶ 6, 8 (9th Dist.)
- Budd v. Budd, 2011-Ohio-565, ¶¶ 8, 14 (9th Dist.)
- Bowen v. Bowen, 132 Ohio App.3d 616, 630 (9th Dist. 1999)
- Kohler v. Kohler, 1996 WL 455850, *5 (9th Dist. Aug. 14, 1996)
- Berish v. Berish, 69 Ohio St.2d 318, 319-20 (1982)
- Cardone v. Cardone, 1998 WL 224934, *8 (9th Dist. May 6, 1998)
- Morehart v. Snider, 2009-Ohio-5674, ¶ 41 (9th Dist.)
- Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983)
- Kiernan v. Ward, 2022-Ohio-1303, ¶ 8 (9th Dist.)
- Barlow v. Barlow, 2009-Ohio-3788, ¶ 13 (9th Dist.)
- Bisker v. Bisker, 69 Ohio St.3d 608, 609 (1994)
- Fletcher v. Fletcher, 1995 WL 29008, *2 (9th Dist. Jan. 25, 1995)

- Ray v. Ray, 2003-Ohio-6323, ¶¶ 6, 8 (9th Dist.)
- Middendorf v. Middendorf, 82 Ohio St.3d 397, 401 (1998)
- Polakoff v. Polakoff, 2000 WL 1121799, *4 (11th Dist. Aug. 4, 2000)
- Mercer v. Mercer, 2024-Ohio-4827, ¶ 43 (9th Dist.)
- Schoch v. Schoch, 2019-Ohio-1394, ¶ 7 (9th Dist.)
- Corrigan v. Corrigan, 2001 WL 1044210, *2 (9th Dist. Sept. 12, 2001)
- Tokles & Sons, Inc. v. Midwestern Indemn. Co., 65 Ohio St.3d 621, paragraphs one and two of the syllabus

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