NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

VALERIYA FROMPOVICZ Appellant v. STANLEY F. FROMPOVICZ, JR.	: : : : : : : : :	IN THE SUPERIOR COURT OF PENNSYLVANIA No. 3062 EDA 2025

Appeal from the Order Entered October 29, 2025
In the Court of Common Pleas of Bucks County Domestic Relations at No(s): 2023DR00646, PACSES 946300407

BEFORE: NICHOLS, J., McLAUGHLIN, J., and KING, J.

MEMORANDUM BY McLAUGHLIN, J.: **FILED SEPTEMBER 3, 2026**

Valeriya Frompovicz ("Wife") appeals *pro se* from the order awarding her alimony pendente lite ("APL"). She claims the court considered false documents and did not follow the guidelines. We affirm.

Wife and Stanley F. Frompovicz, Jr. ("Husband") were married in 2008 and separated in 2020. They have one child, who was 15 years old at the time of the trial in this case. In January 2022, the Domestic Relations Section of the Delaware County Court of Common Pleas entered an interim order against Husband in the amount of $3,500 per month in APL plus $350 in arrears for the support of Wife. Husband filed a request for a hearing *de novo*. The parties later stipulated to transfer the support matter to Bucks County where Wife was residing.[1] Husband filed a petition to modify the 2022 interim order and requested that the matter be heard in conjunction with Wife's petition to modify her child support obligation. The court granted the petition. It rescinded the prior order, in February 2024, and replaced it with an interim order, effective August 18, 2020, directing Husband to pay Wife $2,403 in APL plus $240 toward arrears ("2024 Interim Order"). This amount accounted for an offset owed by Wife to Husband for child support. The matter was deemed complex and the parties engaged in discovery.

The court held a hearing in the support matter. It summarized the evidence as follows:

> A review of Wife's deposition reveals that she testified as follows: Wife left the marital residence in Schuylkill County ("Marital Residence") in March of 2020. She moved to Delaware County in June 2020. She then moved to Washington Crossing, Bucks County in approximately May 2021. In May of 2022, she moved to . . . Yardley, Bucks County to be closer to her boyfriend who resides in Princeton, NJ. Back in 2012, Wife started a business whereby she would design and make wedding dresses. She operated that business part-time and made approximately

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[1] In August 2022, Wife filed for spousal support in Delaware County and, in April 2022, Husband filed a child support action in Schuylkill County. ***See*** Stipulation of Parties to Transfer Venue, filed May 17, 2023, at ¶¶ 2, 5. In July 2023, the support actions were transferred to Bucks County.

The divorce complaint was filed in Schuylkill County in November 2022 and remains in that county. Because the support actions are in a separate county than the divorce action, the appeal of the spousal support action prior to conclusion of the divorce proceeding is not interlocutory. ***See Asin v. Asin***, 690 A.2d 1229, at 518-19 (Pa.Super. 1997) (spousal support order was appealable because it was entered in different county than that in which divorce proceedings were taking place).

$20,000. In 2018, Wife started a lampshade business. She would make custom lampshades and sell them on Etsy.com. The business was doing very well until she had to move from the Marital Residence in March 2020. At one point, Wife saw her product in a magazine and her product was also featured on the House and Garden network. She made $20,000-$23,000 per year operating this business on a part-time schedule.

Wife stopped operating her lampshade business in March of 2020 because she got involved in litigation relating to divorce and custody and . . . as a result of that litigation she could not work. In March 2020 her rent was $900 and she bought a minivan to operate her business. In that March-June 2020 time period she was selling some lampshades but only a few per month. At some point she borrowed $2,500 so she could buy work supplies but she could not make her lampshades because she was going to court and spending money on lawyers. The money she borrowed was from her boyfriend Frank Armenante ("Mr. Armenante"). Since 2021 she has borrowed approximately $100,000. She has an interest rate of 6% and according to the Promissory Note, she has to pay back the money she borrowed from him from the proceeds of her divorce. The minivan she bought is for sale so that she can use the money to pay off some of her debt. She currently drives a 2002 Audi which she purchased in 2024 for $2,500.00 using her spousal support.

From May 2021-May 2022 Wife worked very little because she was busy going to court representing herself and learning the law. In 2022 she also was not working regularly because she was going to court but she agrees she did have two lawyers back then. From June of 202[0] to May of 2022 there was nothing other than an extensive litigation calendar and studying the law that prevented her from working. She also had to go to therapy and undergo psychiatric evaluations and was suffering from depression. She did not provide any medical documentation regarding how her depression prevents her from working.

She currently rents a home from Balance Enterprises, LLC ("BEL"). Her boyfriend is an owner of BEL, but he is not the only owner. The home is 3,800 square feet and her rent, including utilities, is $1,300.00 per month. Other than rent, Wife's expenses are typical, including food, clothes, gas, and car insurance. As of the date of her deposition, she has paid between $7,000 and $10,000 in rent. She has been diagnosed with breast cancer and experiences side effects from her medication. Her medical bills are covered by the Breast Cancer Foundation.

At the hearing, Wife . . . testified that in addition to spousal support, she has borrowed approximately $130,000.00 from BEL. She testified that she had a business at one point making lamp shades[,] which she sold on Etsy . . . .

She initially testified that she was diagnosed with stage four breast cancer in June 2024 but then explained that the date when she went to the emergency room for strange symptoms was actually at the end of July 2024. Wife explained that she spent time in the hospital in 2024 and had two surgeries and multiple radiation sessions. For some period of time she was walking with a cane. As of the time of the hearing she was stable and the tumor was shrinking. She explained that she has side effects from the medication she is currently taking for her cancer treatment, which include fatigue, loss of appetite, nausea and flu-like symptoms. She also testified that she was diagnosed with depression in 2018.

Wife testified that she has a college level education in Economics. She testified that she did provide some assistance to Husband's water business during the marriage. She would bring water samples to the laboratory every week and help him change filters in the loading station every month and pick up checks for his employees.

On cross-examination, Wife again testified that she lives in a rental owned by BEL of which her boyfriend, Mr. Armenante, is one of the owners. The rent is $1,300 per month including utilities. She testified that she does have a written lease but is not paying rent on a regular basis and that she has probably made one rent payment since the middle of 2024. She testified that she owes BEL $130,000. She testified that she drives a 2002 Audi but that her boyfriend lets her take his Mercedes sometimes.

As to her employment history, Wife agreed that she had a wedding dress business for some period of time and also had her lampshade business which involved making lamp shades and selling them on Etsy.com. She testified that back in 2020 she made approximately $23,000 per year working part-time on her lampshade business. She agreed that part-time was approximately 20 hours per week and that she received a 1099 from Etsy for income she earned through her lampshade business.

Wife was then presented with a series of promissory notes marked collectively as Exhibit H-6. Wife identified them as promissory notes executed by her with BEL and having a date range from August 1, 2021 through December 31, 2023. She testified that she used the money she received from BEL "to survive" and to cover her expenses. She also testified that she used part of the money to purchase inventory and pay her attorneys. She admitted that she did borrow money to take a trip to Naples. She conceded that she has not paid almost anything back on the Promissory Notes but intends to pay them back in full once her divorce is finalized. When presented with her bank statements, Wife denied that the various purchases from Michael's and Joanne Fabrics reflected on those statements were for supplies to operate her lampshade business. She testified that she recently became interested in art and the purchases were for paint, canvasses and brushes. She confirmed that her medical expenses continue to be paid for by the Breast Cancer Foundation.

At his deposition, Husband explained the history of his water business and the extensive litigation relating to his business which resulted in the structured settlement payment he receives each month. He explained that he would enter into leases for water rights, build a plant and then sell the water to a customer. This did not come to fruition with the first property but did come to fruition to some degree with a second. In 2012-2013, however, the customer started to default on what was owed to him so he could not pay the money owed under the lease. He ended up not getting paid as part of this deal. He further explained that he had sold a property (Lot 12) to one of the parties involved in the deal and took back a mortgage of $350,000. He was to act as the contractor and build a plant on Lot 12. That structure was completed but he was never paid. He moved to foreclose and the parties asserted claims against one another. That litigation ended upon in a settlement and he turned over Lot 12 and the structure thereon to the other party in 2011. He explained that the litigation ended in early 2020 and he received approximately $360,000 ("[Spring Water Litigation] Settlement").

He also testified that the Marital Residence was located on a parcel of property that had an underground spring and that he extracted water from that spring. Beginning in 2002 he sold water from that property. In 2007, he entered into a deal with Niagara which lasted about a year and a half. In 2009, his business became the supplier for an entity known as Advance H20. Then Niagara came back and he supplied it for about a year in 2014. In 2015, he entered into a five-year contract with Niagara. His water business ended when his water source was contaminated, something he believes was intentional. The end result was that he had his water source on his property but could not sell the water. Since 2015, he has not sold any water. He then explained all the reasons why he would not be able to restart the business and that the only spring water that he currently has any ownership interest in is whatever is on the property where the Marital Residence is situated. He further testified that he does not believe the water on the property adds value and that he has not realized any monies from the sale or usage of water on that property [between January 2021 and the date of the hearing]. He testified that he continues to have a mortgage on the Marital Residence and pays $4,000.00 per month.

Husband then testified about the items he has sold on eBay. He admitted he did sell some items on eBay to friends for cash, including a hydraulic winch for $3,000.00, a scissors lift for $3,000.00, a brass bar railing for $250.00, and a laminating machine for $300.00. Husband admitted that items he sold on eBay were previously used in connection with his former water business but some, like the laminator and scissors lift, were not. The laminator belonged to one of his children and he had bought scissors lift to paint the high ceilings in the home. Husband also explained that he uses eBay a great deal to make purchases of all types of items, including gifts and household items.

With respect to his income, Husband testified that pursuant the settlement relating his business, he receives $10,000.68 every month from April 1, 2020 for a period of 8 years. He estimates that the last time he received any income from working was 2014. He was also asked at his deposition about monies he paid to third parties. He explained he paid back a loan for $4,000.00, received some money pursuant to settlement involving his business, received a small check payable to the estate of his late first wife, and received a check for $4,704.53 for an insurance policy he cashed in. He could not account for a $10,000 check he received in 2020. He explained that he also purchased some equipment and then after he used it, he would re-sell it on eBay. He estimates that the Marital Residence is worth approximately [$]1 million but has a mortgage on it of $550,000. Husband also went over his expenses.

The documents used at Husband's deposition were admitted into evidence at the hearing as Joint Exhibit 3. The documents which make up Joint Exhibit 3 include, *inter alia*, Husband's PayPal Transaction History for the period January 1, 2021 through June, 2021. There are some transactions which also reference eBay but many others which do not.

The transactions that reference eBay are both in the negative and the positive, involve mostly small charges, and in most instances only up to $500. Additionally, Exhibit Joint-3 includes eBay advertisements for five pieces of equipment, including the laminating machine, scissors lift, brass rail and a sewing machine. Joint Exhibit 3 also includes a document which shows Husband's selling history on eBay from January 1, 2022 through December 28, 2022 including sales of two backhoe buckets and an ink/paint mixing system.

Also included in Joint Exhibit 3 are documents which relate to the litigation with Niagara that Husband made reference to during his deposition as well as documents which reference settlement of the "Spring Water Litigation" and client proceeds going to Husband in the amount of $351,298.98. There is also a letter from Structured Assignments SCC dated April 16, 2020 regarding "Confirmation of Payments" which references Husband as the "payee" and monthly payments of $10,000.68 for a period of eight years. The remaining documents which make up Joint Exhibit 3 include a bank statement for Husband for the period December 7, 2023 - January 5, 2024 and copies of checks, including those about which he was asked at his deposition. The bank statement makes reference to three eBay to PayPal transfers and two eBay payments.

At the hearing, Husband testified about a number of PayPal transfers into his bank account and the eBay transactions to which they related. He testified that he sold water filters and some left over equipment which he had used in connection with his prior business. He testified that he sold three or four items since 2020 and that while a couple of pieces may have sold for $1,000 or $2,000, other items sold for as low as $40-$50. He also testified that he receives $10,000 per month from the settlement of extensive litigation relating to his business which he no longer operates and has not operated since 2015. He testified that those payments and his Social Security constitute his only sources of income. He estimated the total sales on [eB]ay to be approximately $5,000 over a period of five (5) years. He testified that the last time he ran his business developing spring water sites and selling water from the sites was in 2015.

Additionally, Husband testified that he is 76 years of age, is in pretty good health and has sole custody of the parties' 15-year-old daughter. He lives in the Marital Residence which he owned before the parties were married. When the parties married in 2008, it was encumbered with a mortgage of approximately $500,000.00. He placed a mortgage on the property in 2004 to develop a parcel of real property for his business. He continues to have a mortgage on the Marital Residence and is making . . . a monthly mortgage payment of approximately $4,000.00.

In addition to the parties' testimony, and the three Joint Exhibits, various other documents were marked as exhibits and moved into evidence by the parties. Wife's Exhibits included statements from Husband's bank account for a variety of different periods from 2020 through 2025. These exhibits reveal a number of transactions involving PayPal. Some, but not all, of those transactions also make reference to eBay. Exhibit W-3 is a two-page document which appears to be from eBay and which makes reference to the number of items sold. The first page identifies 244 items having been sold and the second page references 248 items having been sold. Both pages identify the seller as "faraway-

> springs." Neither page is dated or provides the span of time over which items were sold on eBay.
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> At the conclusion of the hearing, the [t]rial [c]ourt agreed to keep the record open so that Wife could obtain a completed Physician Verification Form related to her cancer treatment. Thereafter, Wife obtained a completed Physician Verification Form which was admitted into evidence, without objection, at the next hearing on September 16, 2025. The Physician Verification Fonn was completed by Wife's treating physician, Igor Makhlin . . . . It identifies Wife's sickness or injury to be Metastatic Breast Cancer - Stage IV. It identifies the medications she is taking (daily oral chemotherapy and injections every four weeks), and states that the medical condition affects her ability to work or earn income from January 1, 2025 and indefinitely thereafter. It explains that her condition is not curable and she will be getting treatment indefinitely and will not be able to return to work at any time.

Trial Ct. Op., filed Feb. 9, 2026, at 7-17 (citations omitted).

In October 2025, the trial court directed that, effective August 18, 2020, Husband would pay Wife $970 per month in APL plus $97 in arrears. It noted that the obligation considered an offset of $698 that Wife would owe Husband for child support. It further concluded that effective January 1, 2025, Husband would pay Wife $2,395 per month plus $240 per month towards arrears, which was based on an increase in his social security benefits and Wife's inability to earn income. It further stated the amount considered an offset of $475 that Wife would owe Husband for child support. Wife appealed.[2,3]

Wife raises the following issues: Whether the trial court "decision was made on falsified records" and whether the "APL amount calculation was erroneous." Wife's Br. at 9-10.[4]

We apply the following standard to appeals from a support order:

> When evaluating a support order, this Court may only reverse the trial court's determination where the order cannot be sustained on any valid ground. We will not interfere with the broad discretion afforded the trial court absent an abuse of the discretion or insufficient evidence to sustain the support order. An abuse of discretion is not merely an error of judgment; if, in reaching a conclusion, the court overrides or misapplies the law, or the judgment exercised is shown by the record to be either manifestly unreasonable or the product of partiality, prejudice, bias or ill will, discretion has been abused.

M.E.W. v. W.L.W., 240 A.3d 626, 634 (Pa.Super. 2020) (citation omitted). In addition, we "must accept findings of the trial court that are supported by competent evidence of record." ***Id.*** (citation omitted). "[W]ith regard to issues

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[2] Husband also filed an appeal. This Court quashed that appeal as untimely. ***Frompovicz v. Frompovicz***, No. 3177 EDA 2025 (Pa.Super. filed Feb. 13, 2026) (per curiam order).

[3] The order was dated October 6, 2025, but not mailed to the parties until October 29, 2025. Therefore, Wife's appeal, filed November 17, 2025, was timely.

[4] Wife's brief does not contain a statement of issues raised on appeal, in contravention of Pennsylvania Rule of Appellate Procedure 2116(a). However, the violation does not impede our review in this instance, and we therefore will review the claims' merits. ***See Savoy v. Savoy***, 641 A.2d 596, 598 (Pa.Super. 1994).

of credibility and weight of the evidence, this Court must defer to the trial judge who presided over the proceedings and thus viewed the witnesses first hand." ***Id.*** (citation omitted).

When addressing a claim for APL, the court should consider the following factors: "the ability of the other party to pay; the separate estate and income of the petitioning party; and the character, situation, and surroundings of the parties." ***Busse v. Busse***, 921 A.2d 1248, 1255 (Pa.Super. 2007) (citing ***Litmans v. Litmans***, 673 A.2d 382, 389 (Pa.Super. 1996)). A court may modify or vacate an award of APL for a change in circumstances. ***Id.***

Wife first maintains the court relied on "falsified records." She maintains Husband "introduced a record called 'Selling History' in Delaware County back in 2022[,]" which was "not accepted by the court because it looked like anything[] but an [e]BAY record." Wife's Br. at 9. She claims this record was also introduced to her counsel and by Husband's counsel in Bucks County. She notes that her eBay 2022 sales record had an official eBay header, a "Hi, Val!" greeting, and an account name identification, but the document from Husband did not have these items. Wife claims the trial court "ignore[d] the fact that [Husband's e]Bay records were deliberately falsified." ***Id.*** at 10. She claims Husband has not yet provided correct eBay records, and argues such records might help determine whether he has other bank accounts.

Here, the trial court concluded that "there is nothing in the record made at trial which suggests that any document . . . which the [t]rial [c]ourt relied upon, or chose not to rely upon, in determining Husband's income available for support was 'falsified.'" Trial Ct. Op. at 23. It pointed out that all documents were admitted into evidence without objection. ***Id.*** The court further found,

> [T]o the extent Wife contends that the [t]rial [c]ourt should have considered Husband's sale of items on eBay for purposes of establishing Husband's income available for support, the [t]rial [c]ourt notes that Husband's bank statements and the eBay records reveal that while Husband appeared to use eBay a great deal, the transactions involving sales of equipment or other items owned by Husband's former business were actually quite limited and sporadic over a period of years. As a result, the [t]rial [c]ourt found that it was without a sufficient basis in fact to identify an additional stream of income to attribute to Husband.

Id. The court also noted that, although it did not include any eBay sales to determine Husband's income, it "did not remove from Wife the opportunity to address her property interest in any leftover assets of the business that still exist or may have been dissipated by Husband. Wife has the ability to address this property interest at equitable distribution." ***Id.***

We conclude the trial court did not abuse its discretion. Wife did not object to the admission of the eBay documents, and the court was free to determine as a matter of credibility that they were not "falsified." Nor did it err by concluding that Husband's sporadic eBay sales should not be included in his income for support purposes.

In her second issue, Wife argues the court erred in its APL calculation. She argues Husband's actual income, which she claims has not yet been determined, should have been compared to her actual income, not her earning capacity. She contends the evidence supported a finding that Husband has an earning capacity of at least $600,000 or that he had additional sources of income. She states that she sent Husband's personal business 2015 bank statement to her former counsel, and that the statement proved Husband had an earning capacity of at least $600,000 annually. She says it "is unclear why [counsel] failed to introduce the record during the last hearing of September 16, 2025." Wife's Br. at 11. Regarding the settlement of the Spring Water Litigation, she claims it is unclear whether Husband's counsel in that litigation agreed to represent him on a contingency agreement or a retainer, noting Husband did not provide his attorney-client agreement during discovery. She challenges the court's findings regarding Husband's eBay sales, claiming the court did not see his true eBay records. She further claims that contrary to Husband's claim that the assets they had in 2007 had not been developed, such assets had already been developed in 2007 and 2008.

Wife next challenges the court's finding that she admitted that the only thing that prevented her from working was the litigation calendar and her study of the law for the case. She claims she could not enter the workforce because the court was trying to determine whether she had the "emotional and mental fitness to have contact with the minor child." ***Id.*** at 13. She also claims that she has been battling metastatic breast cancer since early 2024, but the court still found she had an earning capacity of $43,000 in 2024.

The trial court found that Wife's claim that Husband's actual income had not been determined was "simply . . . not true." Trial Ct. Op. at 24. It noted that "based upon the evidence admitted at trial, the [t]rial [c]ourt found that

Husband's income includes the $10,000[] he receives each month from a structured settlement and his Social Security." ***Id.*** It found that Wife did not take issue "with the existence or actual calculation of these amounts." ***Id.*** It further found that "[t]o the extent she believes his sales of equipment from his former business should have been considered as additional income, the [t]rial [c]ourt has addressed that claim above." ***Id.*** It also found that regarding Wife's claim that Husband "has an earning capacity of at least $600,000 annually and/or has additional sources of income beyond what he testified to at trial," such claims were not credible and not supported by the evidence. ***Id.*** (internal quotation marks omitted). It reasoned that Wife offered "some testimony on this front," but the court found her not credible. ***Id.*** at 24 n.10.

The court next pointed out that Wife did not contend at trial "that Husband's settlement of approximately $360,000 [for the Spring Water Litigation], which he testified he received in 2020, constituted a source of income." ***Id.*** It noted that Wife might intend to raise receipt of the settlement proceeds at equitable distribution and found that her attempt to claim the court erred as to this settlement in the support action should be deemed waived. ***Id.***

The court further pointed out that it explained in the October 2025 Order the factors it considered regarding Wife's child support obligation and "the specific reasons as to why Husband's charging obligation increased effective January 1, 2025." ***Id.*** at 24-25. The court had found that the obligation increased because Husband's social security payments increased and Wife's medical documentation establish she could not work effective January 1, 2025. Order, dated October 6, 2025.

The court next addressed Wife's claim it erred in holding her to an earning capacity between $40,000 and $46,000. Trial Ct. Op. at 25. The trial court pointed out that "Wife admitted at trial that back in 2020, she made approximately $23,000 per year working part-time on her lamp shade business and that 'part-time' was approximately 20 hours per week." ***Id.*** at 25 (citation omitted). It emphasized that despite that testimony, it "did not hold Wife to an earning capacity of $46,000 annually but only to $43,000." ***Id.***

The court also found it did not err in not reducing her earning capacity earlier than January 1, 2025. ***Id.*** at 26. It noted that Wife relied on the psychiatric evaluation that was admitted into evidence to support the notion that she had been diagnosed with depression. ***Id.*** The trial court however pointed out that Wife testified she was diagnosed with depression back in 2018, but she continued to operate her lampshade business through 2020. ***Id.*** It also noted that based on the evidence presented and its credibility determinations, it "did not find a basis to conclude that [the depression] impeded Wife's ability to work in her lampshade business." ***Id.*** It pointed out that when asked about the operation of the business after 2020, Wife said she worked very little between May 2021 and May 2022 because she was busy representing herself in court and learning the law. ***Id.*** It noted Wife further "explained that in 2022 she also was not working regularly because she was going to Court but acknowledge[d] that she did have two lawyers as of then[.]" ***Id.*** It added that she "admitted that from June of 202[0] to May of 2022 there was nothing other than an extensive litigation calendar and studying the law that prevented her from working." ***Id.*** The court noted that at her deposition Wife also admitted she had not provided medical documentation to establish her depression prevented her from working. ***Id.*** The court found that "[t]o the extent Wife testified about the impact of her depression on her ability to work between 2020 and January 1, 2025, the [t]rial [c]ourt did not find this testimony to be credible." ***Id.*** at 25 n.13.

The record supports the trial court's factual findings and credibility determinations, and we conclude it did not abuse its discretion in determining the APL amount. Wife waived her claim regarding the Spring Water Litigation Settlement. Further, the court based Husband's income on the evidence presented at trial and determined Wife's earning capacity based on the evidence, including her prior tax documents. Moreover, Wife provided no evidence other than her testimony that her depression or cancer diagnosis impacted her ability to work prior to January 1, 2025.

Order affirmed.

Judgment Entered.

Benjamin D. Kohler

Benjamin D. Kohler, Esq.
Prothonotary

Date: 9/3/2026