

Cohabitation Agreements

WHY DO I NEED ONE? HOW DOES THIS PROTECT ME?

People who are entering into a "common law" relationship may have young children as well as property and debts from a previous marriage or common law relationship. A cohabitation agreement can address how issues from the previous relationship are to be dealt with.

A cohabitation agreement can help the parties to decide in advance how they will share property and debts that may be acquired in future and their division in the event of a separation. A cohabitation agreement may address an obligation to support children from a previous relationship. Even when the natural parent is paying support there may be a legal obligation on the cohabiting parties to support the other party's child(ren).

The new Family Law Act enables parties who have been living in a relationship resembling marriage for at least two years or where there is a child of the relationship, to make a claim for family property. A Cohabitation Agreement may address new provisions of the Family Law Act including an agreement to arrange their own contract with respect to the presumption of equal sharing of family property.