

The law and you

These questions and answers based on Ontario law, are intended to inform and not to advise. No one should try to apply or interpret the law without the aid and advice of a trained expert who knows the facts of an individual case and the law applicable.

4. Q: My wife and I are thinking of buying a new home. If the house is put in my name only, will my wife automatically be given a half interest in the house as a result of the new Family Law Reform Act?

A: The new Act restricts dealing with a house, even if it is in the name of one spouse only, if it is found to be a "matrimonial home". The matrimonial home is a house used as a family residence. During the marriage neither spouse can sell or mortgage the home without the other's consent regardless of which spouse owns the house. Upon marriage breakdown either spouse may apply for a court order for possession of the matrimonial home.

Finally, there will be equal division of family assets including the matrimonial home where the marriage is legally ended or the spouses are separated and there is no reasonable prospect that the spouses will be living together again. This equal division of family assets will be made regardless of the ownership of the assets by the spouses. Your wife therefore will only be given a legal interest in one half of the house upon marriage breakdown, but has other rights in the house that are protected during the marriage.

5. Q: After ten years of marriage my husband has left me. We have two children age six and eight. Can I get support for myself and the children?

A: Under the new Act every spouse has an obligation to provide for himself or herself and for the other spouse, in accordance with need, to the extent that he/she is capable of doing so.

Upon application, a court may order a person to provide support for his or her dependants and set the amount they will be required to pay.

The major changes in the law of support are:

1) Wives and husbands have an obligation to support themselves.

2) Wives have an obligation to support husbands. The obligation for support is mutual.

3) Support orders are made on the basis of need and ability to pay.

The court will consider all of the circumstances when determining the amount of support including:

1) assets and means of the person dependent upon support and the person who will be required to pay support

2) the ability of the person seeking support to provide for his/her own support

3) age and physical and mental health of the persons involved

4) the accustomed standard of living when the spouses lived together.

6. Q: Is it true that under this new law children can be required to support their parents?

A: Yes the new law states that every child who is over the age of eighteen has an obligation to provide support to their parents, if their parents have cared for and provided support to that child and if their parents have need for support. The child is obliged to provide support only to the extent that he/she

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Saxe

Stephen P. Saxe Limited Realtor

877-2219 or 453-1111 TORONTO LINE



\$56,900.

This 2 storey brick home has 2 self contained apartments and has recently been improved with a roof, wiring, aluminum soffits, fascia and eaves. Centrally located to schools, shopping and all amenities. For your exclusive viewing call John Caton



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3 bedrooms, finished recreation room and laundry, 1-4 pc. and 1-2 pc. washroom. An immaculate home very well maintained. Built-in stove and dishwasher, excellent starter opportunity. Call John Caton.



TALL PINE ESTATES
TOP OF COURT LOCATION
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Lots of color selection left plus floor to ceiling fireplace, deck from family room, walkout from basement to beautiful treed lot, maples, juniper, spruce—a gardener's challenge, large eat-in kitchen with easy vision of rear yard and family room. Call Robin Fischer or Eleanor Langdon for your personal tour.



Custom Built Back Split Only 3 Years Old

There is a lot of living space in this three bedroom back split, all the features you need for a family house, eat-in kitchen, living room, dining room and large family room off the kitchen. Give Coring DePaoli a call at 877-2219 to view.

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73 Acres of land with bank barn, approximately 40 acres of good workable land, balance is mostly cedars with pond sites. An ideal location for your hobby farm just 20 minutes from Georgetown and close to paved road. Asking \$87,500. Call Norm Sinclair.

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\$289,000.00

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Compare before you purchase a semi—you'll be happy you did. This home has 3 bedrooms, large living and dining room, eat-in kitchen, main floor family room, mud room, plenty of space for large games room plus a garage. A home worth seeing—Call Rozetta Stolp.



Transferred \$74,500

Top of Court Location

New pool this year, finished recreation room with fireplace, built in cupboards and book shelves, broadloom, 3 bedrooms, entire home is very clean throughout, single car garage, paved drive. Call Eleanor Langdon.

Stephen P. Saxe Limited, Realtor

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