



Cohabitation Agreement

People often consider themselves to be a 'common law' husband or wife if they have lived together or brought up children together over a period of time. The reality is that there is no such legal status and the law considers this type of relationship to be one of cohabitation.

If a couple are married or in a civil partnership the court will deal with all the financial arrangements including maintenance and property should the relationship come to an end. When a couple are cohabiting there is no legal provision for maintenance and when considering property, the law does not allow for the notion of fairness or what is reasonable.

If the property is not jointly owned, for a partner to be awarded a share

in the property will depend on being able to establish ownership based on financial contribution or a common intention.

Therefore a cohabitation agreement can often help couples living together to agree and discuss the arrangements should the relationship come to an end. As a cohabitation is a legal document both parties are advised to obtain independent legal advice. Cohabitation agreements should ideally only deal with financial and property issues.

Contact **Alexandra Bodley** on 020 8768 7008 abodley@batchelors.co.uk or **Richard Hill** on 020 8768 7041 rhill@batchelors.co.uk for further information.

Bromley office: Charles House, 35 Widmore Road, Bromley BR1 1RW.

Tel: 020 8768 7000. Fax: 020 8768 7045.

London office: 6 Gray's Inn Square, Gray's Inn, London WC1R 5AX, Tel: 020 7269 9027

web: www.batchelors.co.uk E-mail: batchelors@batchelors.co.uk