

Matrimonial Home Deep Dive

Family Law Section



Webcast



Date: Friday, November 17, 2023 | 9:00 am to 12:00 pm

Location: Webinar Only

Agenda: 9:00 am Program Begins
12:00 pm Program Concludes

This program contains:
3hr 00m of Substantive Content

The matrimonial home is often one of your clients' most important assets and holds special status in family law. Ensure that you are up to speed on the legal framework and receive practical solutions for issues related to ownership, possession and sale of the matrimonial home.

Program Chair(s): **Stephen Eaton**, Lighthouse Family Law LLP
Vanessa Lam, Lam Family Law LLP

9:00 am Welcome and Opening Remarks

10:30 am Questions from First Half

9:05 am **Matrimonial Homes and Other Residences**

Timothy Matthews, Henderson Family Law

- What is a matrimonial home and what is not?
- Family residences and common law partners
- Family residences outside of Ontario
- Multiple matrimonial homes

10:35 am Health Break

10:50 am **Sale of the Matrimonial Home**

Raymond Goddard, Walker Head Lawyers

- Family Law Act and Partition Act provisions: when can you use them to force a sale on an interim basis?
- Dispensing with consent of one spouse
- Interim distribution of some or all of the net proceeds of sale

9:20 am **Protecting a Matrimonial Home**

Charanjit Gill, Jaskot Willer Gill LLP

- The legal framework for equalization and special treatment for the matrimonial home
- What happens when one party brings a matrimonial home into the marriage?
- Using marriage contracts to protect the matrimonial home

11:10 am **Vesting Orders**

Ryan Kniznik, Blaney McMurtry LLP

- What is a vesting order?
- Jurisdiction to make a vesting order
- When will the court grant a vesting order?

9:35 am Tricky Ownership Issues

Melanie Larock, Thomson Rogers

- Homes held in trust (including resulting trust claims or unjust enrichment claims in relation to a mat home)
- Homes on farms or other multi-use properties
- Third party ownership (in part or whole)

11:25 am **Real Estate Considerations**

Nabeel Haque, Haque Law

- Borrowing against the home
- What you need to know to facilitate transfers and protect against unauthorized sales
- Certificates of pending litigation
- Matrimonial home designations
- Cautions

9:55 am **Carrying Costs and Occupation Rent**

Fadwa Yehia, Jamal Family Law

- Carrying Costs of the Matrimonial Home
- Resolving Disputes related to carrying costs
- Making and defending against claims for occupation rent: entitlement and amount

11:40 am **Property Division**

Demitry Omrin, Mediation Lounge Ltd.

- Accounting for disposition costs
- How to determine and address unfairness – potential unequal division

10:10 am **Exclusive Possession**

William Abbott, MacDonald & Partners LLP

- Default possessory rights when you do not have exclusive possession
- Exclusive possession
- Common-law parallel situation

11:55 am Additional Questions

12:00 pm Program Concludes

www.oba.org/pd
Questions? pd@oba.org