

Families and the Law

# Property Division

for Married and Unmarried Couples



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## Who is this booklet for?

This booklet is for married and unmarried couples who have separated and are dividing their property. This booklet also explains property division if you have a written agreement.

This booklet is one of six in a series called **Families and the Law**. The other booklets in the series may help you further understand family law in Alberta:

- New Parents
- Separation and Divorce
- Parenting Time and Contact
- Financial Support
- Resolving Family Law Disputes

Family law is complicated. Finding out about the law and your options is a very good first step. There are a lot of people and organizations who can help you. There is a list of resources at the end of this booklet.

NOTE: This booklet is based on **Alberta** law. The law may be different in other provinces.

The contents of this booklet are provided as general information only. It is not legal advice. If you have a legal problem, you should consult a lawyer.

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For more information, please visit [www.cplea.ca](http://www.cplea.ca).

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# Contents

## 4 Dividing Property at the End of a Relationship

## 6 Spouses or Adult Interdependent Partners

- 7 Family Property
- 7 Time Limits for Dividing Family Property
- 8 How to Divide Property
- 15 Property Outside Alberta
- 15 Protecting Your Property
- 16 Possession of the Family Home and Household Goods

## 18 Not Married and Not Adult Interdependent Partners

- 18 The Law
- 20 Dividing Jointly-Owned Property
- 20 Property in One Person's Name
- 20 Unjust Enrichment Claim

## 22 Written Agreements

- 22 Who Can Make an Agreement
- 24 Requirements for a Valid Agreement
- 24 How to Make an Agreement
- 25 Changing Your Mind

## 26 Resources

**LOOK FOR THE FOLLOWING SYMBOLS TO FIND:**



**Additional resources** and **useful links** where you can find more information.



**Definitions** of some of the common terms used throughout the document.



**Tips** and things to consider that may apply to your situation.



An **adult interdependent relationship** is a type of relationship for unmarried people. There are certain criteria you must meet for your relationship to be an adult interdependent relationship. These criteria are set out in the *Adult Interdependent Relationships Act*. The people in an adult interdependent relationship are adult interdependent partners.



For more information on adult interdependent relationships, see CPLEA's booklet called **Living Together: Adult Interdependent Relationships** at: [www.cplea.ca/publications](http://www.cplea.ca/publications)

# Dividing Property at the End of a Relationship

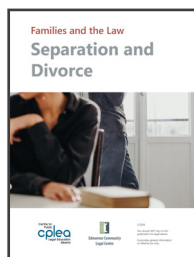
The *Family Property Act* sets out the rules for dividing property when a marriage or **adult interdependent relationship** ends.

## **The *Family Property Act* does not apply if:**

- You are not married or in an adult interdependent relationship, OR
- You were in an adult interdependent relationship and separated before January 1, 2020.

The *Family Property Act* applies to spouses or adult interdependent partners who separated on or after January 1, 2020. If you were married and separated before January 1, 2020, the old *Matrimonial Property Act* may apply to your situation. If you were in an adult interdependent relationship and separated before January 1, 2020, the law of unjust enrichment may apply to you. Consult with a lawyer for more information and advice.

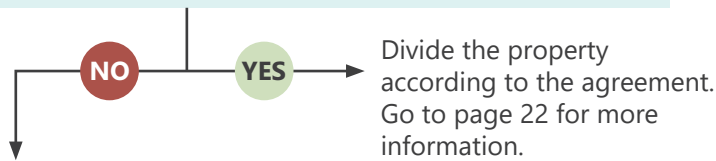
If the *Family Property Act* does not apply to you, see page 18 for more information about dividing property.



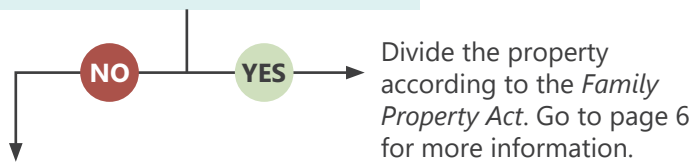
For more information on separation and divorce, see the **Families and the Law: Separation and Divorce** booklet.

## HOW DOES PROPERTY DIVISION WORK AT THE END OF A RELATIONSHIP?

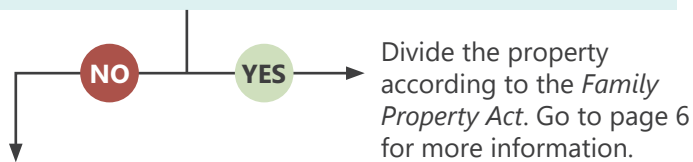
Do you have a valid pre-existing agreement? For example, a cohabitation, pre-nuptial or separation agreement.



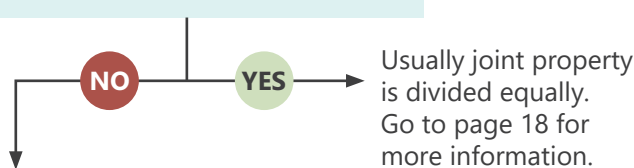
Are you or were you legally married?



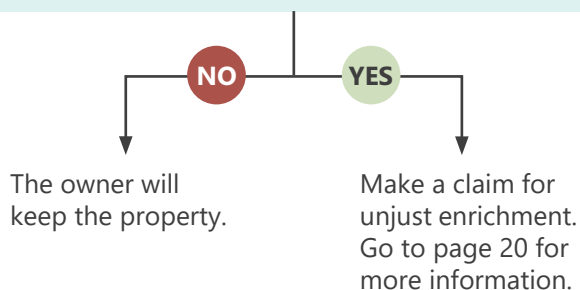
Are you or were you in an adult interdependent relationship? Did you separate on or after January 1, 2020?



Do both parties own the property?



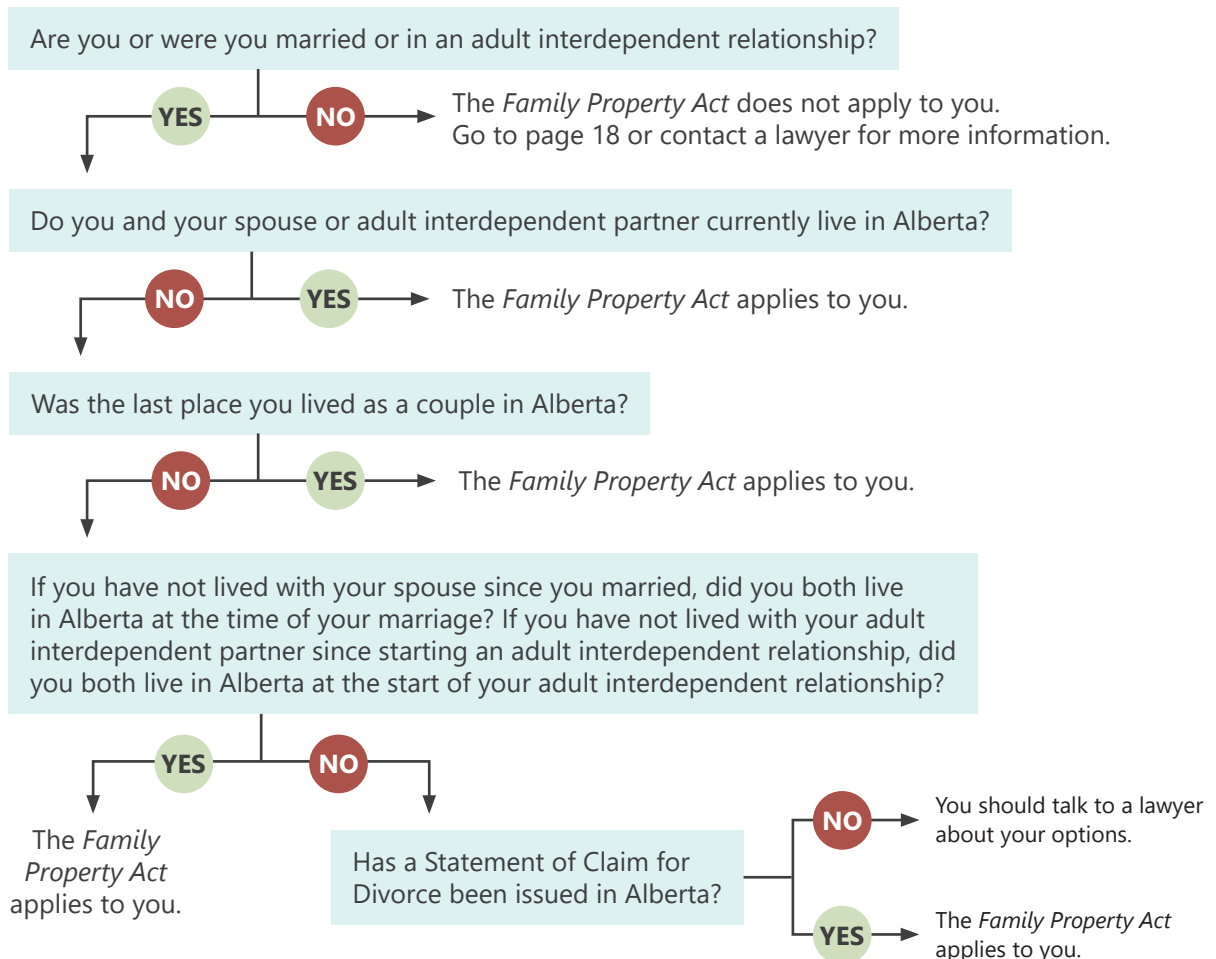
Would it be unfair to let the partner on title keep the property? (Did the owner gain something? Did the non-owner lose something? Is there a legal reason for the gain or loss?)



# Spouses or Adult Interdependent Partners

The *Family Property Act* sets out how to divide family property when a marriage or adult interdependent relationship ends in Alberta. The *Family Property Act* also lets couples come up with their own property settlement agreement instead of going to court.

## WHO CAN USE THE FAMILY PROPERTY ACT?



## Family Property

Family property is the property that you come to own during a marriage or adult interdependent relationship.

### Family property includes all assets and debts.

**Assets:** real estate, vehicles, bank accounts, investments, insurance policies, pensions, business interests, valuable collections and furniture.

**Debts:** mortgages, lines of credit, car loans, other loans, overdrafts, credit cards and lease payments.

Family property is usually divided equally between the spouses or adult interdependent partners. Debt that has built up over the marriage or adult interdependent relationship is usually shared equally.

For couples that lived together before getting married, the property they purchased while living together before marriage is family property and is divided according to the *Family Property Act*.

## Time Limits for Dividing Family Property

### If you are: You have this long to make a claim:

Legally married and separated but not divorced	2 years from the date of separation OR you must start divorce proceedings
Divorced	2 years from the date of the Divorce Judgment
In an adult interdependent relationship and separated	2 years from the date when you become former adult interdependent partners

### If your spouse or adult interdependent partner is: You have this long to make a claim:

Giving away or selling family property	1 year from the date the property was sold or given away
Deceased	6 months from when the court issues a grant of probate, but only if you could have started a <i>Family Property Act</i> action right before your spouse or adult interdependent partner died





### An **Adult Interdependent Partner Agreement**

is a formal document that two people sign saying they are in an adult interdependent relationship. The agreement must be in the form provided in legislation called the *Adult Interdependent Partner Agreement Regulation*.



You can find a copy of the *Adult Interdependent Partner Agreement Regulation* by going to [www.qp.alberta.ca](http://www.qp.alberta.ca) and searching for it.

If you have an agreement about property division, review that agreement first. Go to page 22 for more information.

## FORMER ADULT INTERDEPENDENT PARTNERS

You and your partner become **former adult interdependent partners** when one of the following happens first:

- You and your partner live separate and apart for one year, and one or both of you intend that the relationship is over.
- One of you marries someone else.
- You and your partner make a written agreement that says the relationship is over, that you intend to live separate and apart, and that there is no possibility of reconciliation. You can make this agreement even if you did not make an **Adult Interdependent Partner Agreement**.
- You or your partner enter into an Adult Interdependent Partner Agreement with someone else (this applies where you were in an adult interdependent relationship but did not sign an Adult Interdependent Partner Agreement).
- One or both of you get a declaration of irreconcilability under the *Family Law Act*.

## How to Divide Property

### Step 1: Make a list of all the property you own

You should list the family property that you own, including property:

- you owned before the start of the marriage or adult interdependent relationship
- bought during the relationship
- bought after the separation
- located outside Alberta

You should also write down when you got the property and how you paid for it.

If you have purchased property after you separated, it may or may not be family property. If you bought it using other family property (for example, using joint savings to buy a house) or treated it as family property, then it may be divided equally. This also applies to debt.

If you go to court, a judge looks at all the property owned up to the trial date. If you are negotiating your own agreement, then you can choose a date with your spouse or adult interdependent partner. You can both agree to exclude any property or debt.



## Step 2: Value the property

Property values change over time. If you go to court, a judge looks at the value of the property on the trial date. If you are negotiating your own agreement, you can decide if you are going to use the value of the property at the date of separation or a different date.

There are different methods for figuring out how much an asset is worth, depending on the type of asset.

### WHAT ARE SOME COMMON WAYS OF FIGURING OUT HOW MUCH SOMETHING IS WORTH?

Kind of Asset	Ways to Value It
Real estate	Appraisal by a real estate agent or appraiser or tax assessment
Bank accounts	Statement
Investments	Statement
Mortgage	Statement
Credit cards	Statement
Loans	Statement or loan agreement
Furniture	Look for similar furniture items on Kijiji
Cars	Use Kijiji or AutoTrader to determine the worth

## Step 3: Share property and financial information

Sharing financial information is also called *providing financial disclosure*. You must provide your spouse or adult interdependent partner with information about all the property you own, including property you own with someone else and property located outside Alberta. You have to share information about any property that you got rid of in the past year. Share information using a **Disclosure Statement**.

If your spouse or adult interdependent partner is not providing you with their financial information, you can file a **Notice to Disclose application** in court as a way to force the other person to provide you with a sworn list of property.

The *Alberta Rules of Court* are the rules that you must follow for court processes in the Alberta Court of Queen's Bench or the Alberta Court of Appeal. These Rules also set out other processes for getting financial disclosure. For example, the Rules allow you to ask the other person questions under oath, either in writing or in person.



The government taxes some property when you use it. For example, you pay taxes on money you withdraw from pensions and RRSPs. It is a good idea to keep these kinds of assets in a separate list.



A **Disclosure Statement** is a court document that sets out all the financial information that each spouse or adult interdependent partner must provide to the other. There is a set amount of time to provide the information to the other person.



You can find the Disclosure Statement and Notice to Disclose forms on the Alberta Courts website: [www.albertacourts.ca](http://www.albertacourts.ca)

You can read the *Alberta Rules of Court* by going to: <http://bit.ly/3pH8b1D>

## Step 4: Sort the property into categories

Divide property into three categories:

- 1. Property that will not be divided (“exempt property”)**
- 2. Property that may be divided unequally**
- 3. Property that will be divided equally**

### PROPERTY THAT WILL NOT BE DIVIDED

Some property may not be divided and may be kept by one spouse or adult interdependent partner. We call this “exempt property”.

**Property that a person owned before entering into a relationship of interdependence or getting married (whichever comes first)**

Kim owned a classic car when they came into the relationship. They still have that classic car. Kim will keep the classic car.

**Property that is a gift from a third party**

Sam’s mom gave them antiques that had belonged to her mother. Sam will keep the antiques because they were gifts intended only for Sam, not for the family.

**Inherited property**

Ricardo received a \$10,000 inheritance when his grandmother died. Ricardo put the money into a savings account in his name only. Ricardo will keep the \$10,000 in his bank account from the inheritance.

**Any award or settlement of tort damages or proceeds from non-property insurance policies**

Amina was in an accident. She received a \$20,000 settlement through insurance for pain and suffering. She put the money into RRSPs in her name only. She will be able to keep the \$20,000.

To claim an exemption, you must still have the exempt property or you must be able to trace its value to current property. If you cannot trace the property, you lose the exemption.

#### **EXAMPLE**

Ryan received a \$10,000 inheritance. He and his wife went on a vacation and used the leftover money to pay bills. Ryan cannot trace the original \$10,000 into existing property so he loses his exemption.

### **PROPERTY THAT MAY BE DIVIDED UNEQUALLY**

Some property will not be divided equally between the spouses or adult interdependent partners. Instead, the property will be divided based on what is fair in the circumstances.

#### **Any increase in value of exempt property**

Peter inherited a cottage from his parents a few years ago. At the time Peter inherited it, it was worth \$100,000. Now it is worth \$120,000. The original \$100,000 is exempt property for Peter because it is an inheritance. The spouses can share the \$20,000 increase in whatever way is fair. If the property increase is due to the work that Peter put into the property on his own, then Peter may receive a bigger share of the increase.

#### **Property purchased using income received from exempt property**

Louise inherited a house from her parents. The house is exempt property. She rents the house out and puts the rental income into investments. Louise may have to share the money she makes from her investments. She could argue that she should receive more because she does all the work for the rental property and the investments.

#### **Property acquired after separation**

Sayed bought a new home to live in after he separated from his partner. He purchased the home using money from his parents as a deposit, and his partner has never lived in the property. He could argue that he should not have to share the value of the property with his partner, or that his partner should receive very little of the value, because it was not purchased using family property or treated as part of the family property.



You can read the laws online for free on the Alberta Queen's Printer website:  
<http://bit.ly/39F1MS5>

## Property that was a gift from one person to the other

Reece received gifts of jewelry from her wife throughout their marriage. She could argue that she should receive a bigger share of the value of the jewelry because it was a gift to her and for her alone to use.

### The judge will decide **what is fair** based on many factors set out in the ***Family Property Act***:

- the roles and contributions of each spouse or adult interdependent partner during the relationship
- the income, earning capacity, liabilities, obligations and other financial resources of each spouse or adult interdependent partner
- the length of the relationship
- any agreements between the spouses or adult interdependent partners
- prior court orders
- the squandering of property by a spouse or adult interdependent partner

For a complete list of factors that a judge will think about, see section 8 of the *Family Property Act*.

## PROPERTY THAT WILL BE DIVIDED EQUALLY

All other property will be shared equally between the spouses or adult interdependent partners, unless it would be unfair to do so. The judge will decide what is fair based on the same factors listed above. In the most cases, it is fair to divide property equally between the spouses or adult interdependent partners.

### Examples of property that is usually shared and divided equally:

- The family home
- Vehicles
- Pensions
- Investments

## Step 5: Do the math

The goal of the *Family Property Act* is to divide family property fairly between the spouses or adult interdependent partners.

### EXAMPLE

Joe and Beth are getting a divorce after 15 years of marriage. They did not live together before they married. Beth owned a condo before the marriage, and it was worth \$150,000 when they married. When Joe and Beth got married, they rented Beth's condo out and bought a house together worth \$300,000. Joe had \$40,000 in savings when they got married and he still has this money in an account in his name only. Now that they are divorcing, they've gotten appraisals done on both properties. Beth's condo is worth \$200,000, and their home is worth \$400,000. How can they divide their property?

The value of the house will be equally divided. Beth will get \$200,000 and Joe will get \$200,000.

Property that each of them owned before the marriage will not be divided. Beth will get to keep \$150,000 for the condo, and Joe will get to keep \$40,000 for his savings.

Some property will be divided on the basis of what is fair. Beth's condo is worth \$50,000 more than it was before the marriage. This increase will be divided based on what is fair. Joe and Beth agree that while Beth did a lot of the rental property management, Joe helped out by handling some of the property maintenance. They agree that dividing the increase in the property 60/40 is fair. Beth will receive 60% of the increased value (\$30,000), and Joe will receive 40% (\$20,000). If Beth had done all the work to find tenants, acted as the landlord, and completed the maintenance on the property, then she might keep a higher proportion of the value.

## **Step 6: Decide how to divide property**

Deciding which person will get what property can be difficult. Even if each person should get half of the value of the house and vehicles, it is impossible to cut the property in half.

**You can agree to divide property in many different ways:**

- One spouse or adult interdependent partner can buy the other person's share of the property. This means that one person will keep the property and the other will get cash.
- You can both sell the property to someone else and then divide the proceeds between the two of you.
- A judge can order one spouse or adult interdependent partner to transfer or sell the property to another.
- You can each keep different property with similar values. For example, if the house and the savings account are each worth \$200,000, then one person can keep the house and the other person can keep the savings account.

Remember, there are tax issues when transferring some types of property. For pre-tax assets, there is a way of using a tax-free rollover to avoid tax implications. You should talk to a lawyer or accountant if you have tax concerns.

## Property Outside Alberta

The *Family Property Act* allows a judge to think about property outside the province. The judge cannot decide what happens to that property. However, they can divide the property in Alberta in a way that takes into account the property outside Alberta. If spouses or adult interdependent partners are making their own agreement, they should make sure to include the values of out-of-province assets.

## Protecting Your Property

You might worry that your spouse or adult interdependent partner will sell or use the property without you knowing. There are ways that you can protect the property and make sure the property is still available to be divided.

### Things you can do to protect yourself and your property:

- cancel secondary credit cards
- change your pin number on all your cards
- open a bank account in your name only if you do not have one already
- talk to the bank about your joint accounts
- register a Certificate of *Lis Pendens* at the Land Titles Office against all real estate (this certificate gives notice to any potential purchasers or lenders that there is a potential dispute over the land and usually results in restrictions of a sale)
- if possible, change any overdrafts and lines of credit to need two signatures
- update the beneficiary of your Will, insurance policies, RRSPs and investments

If one spouse or adult interdependent partner is selling or transferring property to get around the requirements of the *Family Law Act*, the other person can bring an application to the court. This application must be filed within one year after the date the property was transferred or sold.

***Property division can be very complicated. Consider talking to a lawyer for advice before making any agreements about dividing property.***





The **family home** is property owned or leased by one or both spouses or adult interdependent partners AND occupied by the spouses or adult interdependent partners as their family's home.

## Possession of the Family Home and Household Goods

### Who gets to live in the family home after separation?

You can negotiate living arrangements:

- You and your spouse or adult interdependent partner could decide that one of you will continue to live in the **family home**.
- You could decide that you will both live in the home but you will live **separate and apart**.
- You could both choose to move.

If you have children, you should base your decision on what is in the children's best interests.

### Some factors indicating the spouses are living **separate and apart** are:

- you hardly communicate with your spouse or adult interdependent partner
- you have separate bedrooms
- you do not have sex together anymore
- you do not help each other with household tasks
- you do not do activities together

If you cannot reach an agreement with your spouse or adult interdependent partner, you can apply to the court for an order granting you **exclusive possession of the family home**. If the court grants the order, then one spouse or adult interdependent partner would have the right to live in the home for a period of time. The other person would have to move out of the home.

### When making an order for **exclusive possession of the family home**, the judge will think about:

- Are there other places for one of the spouses or adult interdependent partners to live that they can afford?
- What are the needs of the children living in the family home?
- What are the financial positions of each of the spouses or adult interdependent partners?
- Are there any court order about financial support or property division?

## **Who gets to use the household goods after separation?**

**Household goods** means personal property that is:

- owned by one or both of you, and
- used or enjoyed by one or both of you, or by the children residing in the family home, for transportation, household, educational, recreational, social or esthetic purposes.

It can include anything from a vehicle, to a TV or BBQ.

If you and your spouse or adult interdependent partner cannot agree on which household goods will stay in the family home, you can apply for an order stating that household goods stay at the family home. The judge will decide what goods should be in the order. For example, you could request that you have exclusive use of the car to drive the children around.

## **What if one spouse or adult interdependent partner is not on title to the family home?**

If your spouse or adult interdependent partner owns the property and you are not on title, you can still apply for exclusive possession of the home.

## **What if you rent the family home?**

If you rent your family home from a landlord, you can still apply for an exclusive possession order. You can make an application even if you are not listed on the rental agreement as a tenant.

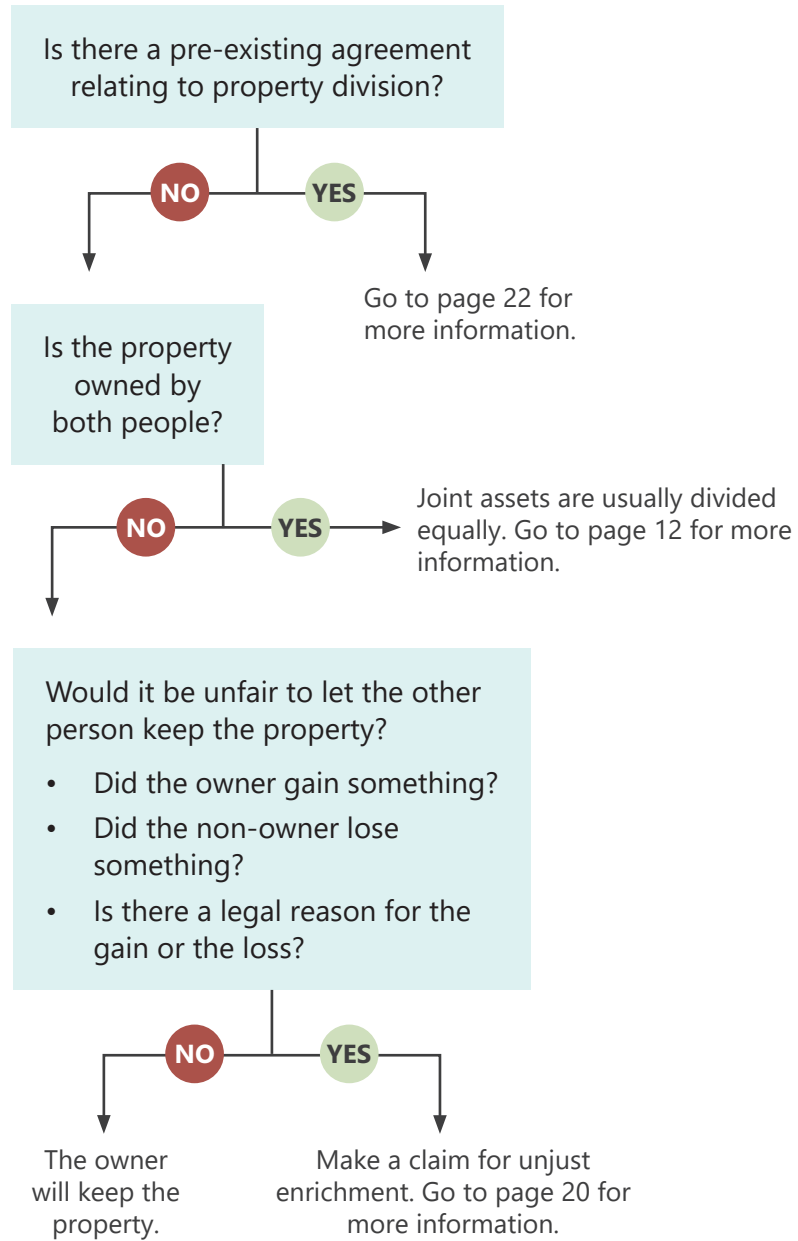
# Not Married and Not Adult Interdependent Partners

## The Law

There is no specific law in Alberta that deals with property division for people who were not married and not in an adult interdependent relationship. There is also no specific law for adult interdependent partners who separated before January 1, 2020.

There is no presumption that property will be shared equally at the end of the relationship. In general, the property purchased during the relationship belongs to the person who paid for it and registered as its owner.

## HOW IS PROPERTY DIVIDED?





**Unjust enrichment** is when someone benefits financially at the expense of someone else without a legally acceptable reason.

*This area of law can be complicated. It is a good idea to talk to a lawyer before you make a claim for unjust enrichment.*

## Dividing Jointly-Owned Property

Jointly-owned property is property a couple purchases together. Jointly-owned property will usually be divided equally (the value is shared between the couple).

If the joint property is real estate, then either person can apply under Alberta's *Law of Property Act* to:

- physically divide the lands (like farmland)
- sell the property and divide the sale proceeds
- sell the property to the other person

## Property in One Person's Name

Usually, the person who pays for the property and is the registered owner gets to keep the property. But, sometimes it would not be fair to let one person keep all the property that is in their name. If the other person has contributed to the property in a non-financial way, then it might not be fair for one person to keep that asset to themselves. The person who made the contributions can ask a judge to divide the value of the property based on what is fair. This is a claim for **unjust enrichment**.

## Unjust Enrichment Claim

In a claim for unjust enrichment, the non-owner is asking the judge to divide the owner's property because it would be unfair to let the owner keep the property.

**The non-owner partner has to prove:**

- The owner gained something.
- The non-owner suffered a loss.
- There is no legal reason for the gain or the loss.

If one person has been unjustly enriched, then the judge will try to place a value on the financial and non-financial contributions.

## **EXAMPLE**

Sam moved into Paul's house, and only Paul is on title to the home. Sam and Paul were together for 2 years and did not sign an adult interdependent partner agreement. Sam and Paul decided to renovate the house. They agreed that Sam would oversee the renovation and even help with parts of it while Paul continued to work at his job outside the home. Sam also managed the household (cooking and cleaning) and worked part-time outside the home. Paul did not pay Sam for these contributions, but Sam's contributions meant that Paul was able to dedicate time to his career. They end their relationship. Sam does not think that it is fair that Paul should keep all the value of the house because only his name is on title.

### **Did the owner gain something?**

Yes. Paul benefitted because he didn't have to hire a cook, housekeeper, or project manager for the renovation, and he was able to concentrate on his career while Sam looked after the house.

### **Did the non-owner partner suffer a loss?**

Yes. Sam has suffered a loss because Paul did not pay him for all the work that he did in the home. Sam could have worked outside the home as a cook, housekeeper or project manager.

### **Is there a legal reason for the gain or loss?**

There is no legal reason for the benefit or loss. Sam was contributing to their family in a non-financial way because his actions benefitted both of them.

### **How valuable are the unpaid contributions?**

Sam could research to find out how much the services he was providing are worth outside the home. The judge would award a monetary amount that is reasonable for the work that Sam did.

# Written Agreements

## Who Can Make an Agreement

Any couple can enter into an agreement about how to divide property if the relationship ends. The agreement can deal with all property – whether owned together or by one person alone. These agreements can be made at any time during the relationship or after the relationship ends. These are **pre-nuptial agreements**, **cohabitation agreements** or **separation agreements**.

A **pre-nuptial agreement** is an agreement signed by a couple before they get married. It must clearly say that it continues in effect after the couple gets married. A pre-nuptial agreement usually says what will happen if the couple separates, such as how to divide property and who will pay support.

A **cohabitation agreement** is an agreement signed by a couple just before or after they move in together and are not married. It can say what happens while the couple lives together and if they separate, such as who pays for what, how to divide property and if anyone will pay support. If the couple later gets married, the cohabitation agreement may come to an end. It depends what the agreement says.

A **separation agreement** is an agreement signed by a couple after they separate. It can say how they will parent, how to divide property and if anyone will pay support. The court may uphold a separation agreement if it meets the requirements set out in law. Most importantly, each person must get independent legal advice from different lawyers before signing the agreement to make sure the person understands their rights in the agreement.

An agreement signed before a couple gets married is only enforceable after they get married if the agreement clearly states the couple intends for the agreement to continue to apply after they get married.



For spouses or adult interdependent partners, agreements are only valid if they meet the requirements in section 38 of the *Family Property Act*.

## EXAMPLES OF DIFFERENT AGREEMENTS

<b>When the agreement is made...</b>	<b>EXAMPLE</b>
Before moving in together (married or unmarried)	Junaid and Salma are moving in together. Salma owns a house already, and they are going to live in it together. She asks Junaid to sign an agreement saying that the house is hers and that he will not make a claim if their relationship ends. This kind of agreement is a pre-nuptial agreement (if getting married) or a cohabitation agreement (if unmarried).
While living together (married or unmarried)	Catherine and Jim have lived together for six years. Jim has had some gambling problems and has racked up some debt. Catherine asks Jim to sign an agreement saying that she's not responsible for any of the debt that he has incurred. This kind of agreement is a post-nuptial agreement (if married) or a cohabitation agreement (if unmarried).
When the relationship ends (married or unmarried)	Nevin and Jake ended their twelve-year marriage. They agree that the kids will spend equal time with both parents. Jake will pay for Nevin's return to school to upgrade her employment skills, and they will equally divide the equity they have in the home. This kind of agreement is a separation agreement.

## Requirements for a Valid Agreement

Each spouse or adult interdependent partner must meet with separate lawyers to acknowledge in writing that:

- they are aware of the nature and the effect of the agreement
- they are willing to give up possible future claims to the other person's property, and
- they are signing the agreement voluntarily and were not pressured into signing it.

If the agreement is not valid, a judge can:

- decide to still give effect to it and enforce the terms of the agreement
- divide the property according to the law but consider the terms of the agreement in making a decision, or
- ignore the invalid agreement and divide the property according to the law.

## How to Make an Agreement

You can make an agreement about dividing property without having to go to court. If you cannot come to an agreement with the other person, then you will have to go to court.

### Do-It-Yourself Agreement

You and your spouse or adult interdependent partner can make an agreement together about how to divide property. You should write down what you both agree to. You each have to go to different lawyers to make sure you each understand the rights that you are giving up and to acknowledge this in writing. Working together saves you time and money and gives you more control over the decisions you need to make.

### Mediation

A mediator helps you work together to come up with a plan that works for everyone. A mediator should be a neutral person and should not take sides. A mediator won't force an agreement on you but can help you come up with an agreement that you both accept.

## Arbitration

An arbitrator is a person the parties appoint to make a decision instead of a judge. You can choose someone who is very experienced in family law issues. The arbitrator will make a decision about how to divide your property.

## Mediation-Arbitration

Combining mediation and arbitration, a mediator has the power to make a binding decision (as an arbitrator) if the parties cannot reach an agreement.

## Collaborative Processes

This is a type of negotiation where each person has their own lawyer but everyone works together to come up with solutions. Everyone signs an agreement saying they will all work together and no one will go to court. Most of the communication occurs in four-way meetings, with both sides and their lawyers present. Everyone is encouraged to be honest and openly share information.

## Court

If you cannot agree on how to divide your property, then you can apply to the court. A judge will divide your property and issue a court order. Court should be a last resort.

## Changing Your Mind

You cannot set aside (cancel) an agreement because you change your mind. You need something more, such as proof that someone forced you to sign the agreement or that you did not receive complete financial disclosure. If you want to try to set aside an agreement, you should get legal advice first.

If you and your spouse or adult interdependent partner both change your minds, you can agree to change the agreement.



There are lots of private mediators, arbitrators and collaborative lawyers. See the Resources section of this booklet for more information.



A **limited scope retainer** is an arrangement where a lawyer provides legal services for part but not all of your legal matter. You and the lawyer will agree ahead of time which parts they will do. Find a lawyer who will coach you or provide limited services at **Alberta Legal Coaches & Limited Services**.  
<https://albertalegal.org/>

# Resources

## LEGAL SERVICES

### **Law Society of Alberta Lawyer Referral Service**

Provides names of three lawyers. Each lawyer to provide half-hour consultation free of charge.

Toll-free: 1.800.661.1095

[www.lawsociety.ab.ca/public/lawyer-referral/](http://www.lawsociety.ab.ca/public/lawyer-referral/)

### **Legal Aid Alberta**

Toll-free: 1.866.845.3425

[www.legalaid.ab.ca](http://www.legalaid.ab.ca)

### **Edmonton Community Legal Centre (ECLC)**

Legal clinic in Edmonton. Call for hours and eligibility.

780.702.1725

[www.eclc.ca](http://www.eclc.ca)

### **Student Legal Services (SLS)**

Legal clinic in Edmonton. Call for hours and eligibility.

780.492.2226

[www.slsedmonton.com/](http://www.slsedmonton.com/)

### **Calgary Legal Guidance (CLG)**

Legal clinic in Calgary. Call for hours and eligibility.

403.234.9266

<http://clg.ab.ca>

### **Student Legal Assistance (SLA)**

Legal clinic in Calgary. Call for hours and eligibility.

403.220.6637

<https://slacalgary.com/>

### **Community Legal Clinic – Central Alberta**

Legal clinics in Central Alberta. Call for hours and eligibility.

Central Alberta: 403.314.9129

Fort McMurray: 587.674.2282

Lloydminster: 587.789.0727

Medicine Hat: 403.712.1021

[www.communitylegalclinic.net](http://www.communitylegalclinic.net)

### **Grande Prairie Legal Guidance**

Legal clinic in Grande Prairie. Call for hours and eligibility.

780.882.0036

[www.gplg.ca](http://www.gplg.ca)

### **Lethbridge Legal Guidance**

Legal clinic in Lethbridge. Call for hours and eligibility.

403.380.6338

[www.lethbridgelegalguidance.ca/](http://www.lethbridgelegalguidance.ca/)

### **Alberta Legal Coaches & Limited Services**

List of lawyers offering legal coaching and limited scope retainers.

<https://albertalegal.org/>

### **Association des juristes d'expression française de l'Alberta**

Centre albertain d'information juridique.

780.450.2443

[www.ajefa.ca/](http://www.ajefa.ca/)

## GOVERNMENT & COURT SERVICES

### Provincial Court – Family

<https://albertacourts.ca/pc/areas-of-law/family>

### Court of Queen’s Bench – Family

<https://albertacourts.ca/qb/areas-of-law/family>

### Resolution and Court Administration Services (RCAS)

Resolution and court support services across Alberta.

1.855.738.4747

[www.alberta.ca/rcas.aspx](http://www.alberta.ca/rcas.aspx)

### Family Court Assistance

Edmonton Family Court Counsellors: 780.427.8343

Calgary Family Court Counsellors: 403.297.6981

[www.alberta.ca/family-court-assistance.aspx](http://www.alberta.ca/family-court-assistance.aspx)

### Family Mediation

Government of Alberta mediation service for low income Albertans. Offices in Edmonton and Calgary.

Calgary: 403.297.6981

Edmonton: 780.427.8329

Elsewhere in Alberta: 403.355.2414

[www.alberta.ca/family-mediation.aspx](http://www.alberta.ca/family-mediation.aspx)

## OTHER RESOURCES

### Alberta Law Libraries

Help with finding legal information. Locations across the province.

<https://lawlibrary.ab.ca/>

### Alberta Family Mediation Society

Roster of family mediators.

Toll-free: 1.877.233.0143

<https://afms.ca/>

### Arbitrations in Alberta

Find a family law arbitrator in Alberta.

<https://divorcearbitrations.ca/>

### ADR Institute of Alberta

Roster of mediators and arbitrators.

Toll-free: 1.800.232.7214

<https://adralberta.com>

### Collaborative Divorce Alberta Association

Directory of Collaborative Divorce professionals.

<https://collaborativepractice.ca/>

### LawNow Magazine – Family Law Column

Recent articles on family law issues.

[www.lawnow.org/category/columns/familylaw](http://www.lawnow.org/category/columns/familylaw)

Families and the Law

# Property Division

for Married and Unmarried Couples



[info@cplea.ca](mailto:info@cplea.ca)

[www.cplea.ca](http://www.cplea.ca)



Edmonton Community  
Legal Centre

[intake@eclc.ca](mailto:intake@eclc.ca)

[www.eclc.ca](http://www.eclc.ca)