

Publisher's Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

<p>COHABITATION: THE LAW IN CANADA Holland, Stalbecker-Pountney Release No. 7, August 2025</p>

This unique looseleaf is specifically focused on legislation and case law regulating domestic relations between unmarried spouses, including same-sex couples. Prepared by experts in the law of cohabitation and aided by contributions from experts from across Canada, each chapter deals with a particular topic and analyzes both the legislation and case law pertinent to that topic in the common law provinces and Quebec.

What's New in this Update

This release features updates to Appendix IF (Issues in Focus), Appendix SLL (Selected Legal Literature) and Appendix WPJ (Words and Phrases).

THOMSON REUTERS®

Customer Support

1-416-609-3800 (Toronto & International)

1-800-387-5164 (Toll Free Canada & U.S.)

E-mail CustomerSupport.LegalTaxCanada@TR.com

This publisher's note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

Highlights

This release includes the following updates:

- **Issues in Focus** — IF:9 — How will courts treat a new relationship where the parties are cohabiting but are not married in the context of an application to vary an order for spousal support? [Ont.]; and IF:10 — How will courts treat a new relationship where the parties are cohabiting but are not married in the context of an application to vary an order for spousal support? [B.C.].
- **Select Legal Literature** — Family lawyers on cohabitation and judge-made law, by Robert Leckey (Oct. 2024) 74 U.T.L.J. 408-440; and Unmarried spouses and the joint family venture: an update on the state of the law, by Danielle Sing and Carolyn Lloyd (2025) 39 Money & Fam. L. 61-64.
- **Words & Phrases** — Bad Faith — Most commonly, bad faith is characterized as conduct done with the intent to inflict financial or emotional harm on the other side, to conceal information relevant to the issues, to deceive the other party or the court, or actions designed to achieve a nefarious purpose. The conduct amounting to bad faith is usually manipulating and falsifying evidence, intentionally failing to honour an agreement in order to achieve an ulterior purpose, or intentionally breaching a court order to achieve an ulterior purpose, but other conduct in the right circumstances may amount to bad faith, although it is a question of degree (*Barakat v. Andraos* (2023), 2023 CarswellOnt 21547, 2023 ONSC 6554 (Ont. S.C.J.) at para. 15, 17 Trimble J.).