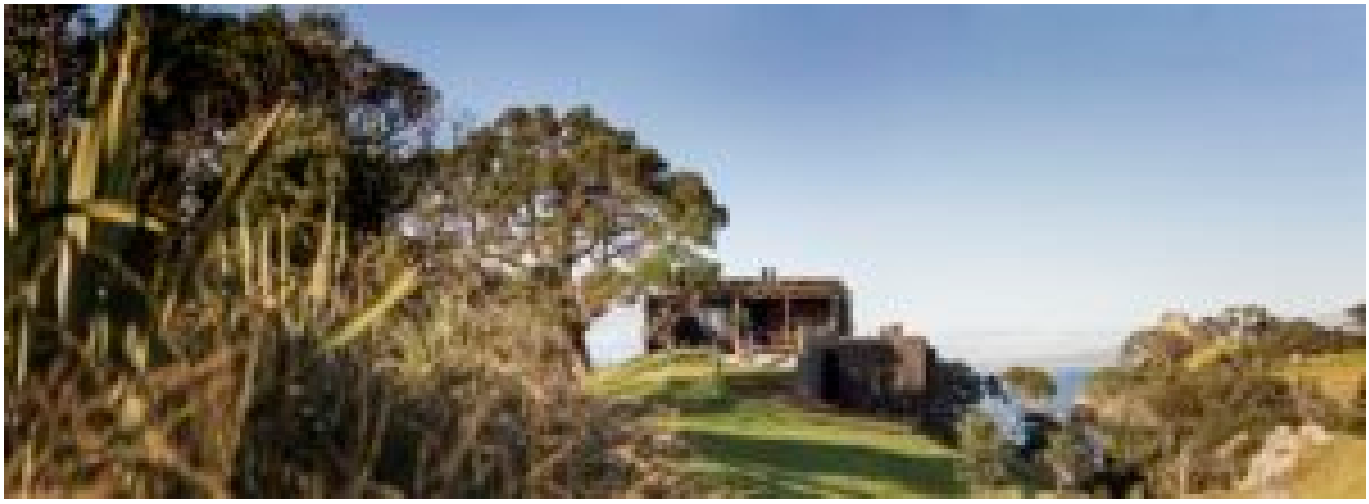


On-again, off-again relationships. What will happen to our relationship property?

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For de facto partners, a relationship will ‘qualify’ for the presumption that relationship property should be shared equally if the relationship lasted for more than three years. When there have been breakups along the way, it can be hard to know whether you meet that threshold or what your entitlements might be.

A de facto relationship is more than attraction or intimacy. The start of a de facto relationship depends on a range of factors that build up over time including emotional connection, cohabitation, financial interdependence and a genuine mutual commitment to a shared life. No single factor is critical. You can still be in a de facto relationship without ever having lived together.

Relationships do not always end with a clean break. There can be weeks of uncertainty or both partners trying to work things out. Doubts about the relationship

do not signal the end of a relationship unless they are communicated and acted upon. Sometimes a couple will separate and continue to live in the same home while they arrange alternative housing. Deciding when a relationship has ended is a factual question that depends on what each person intended and how they behaved at that time.

If a couple separates and later gets back together, the length of that gap also becomes important. It can determine whether the original de facto relationship continues or whether a fresh relationship began. The Court may ignore short periods of getting back together when assessing the total length of a relationship. Brief reconciliations, especially those initiated by one partner that last only days or weeks, might not revive the relationship at all. They also can't be strung together to artificially meet the three-year "qualifying relationship" mark.

When a relationship does resume, the real question is whether the couple has again reached a point of genuine mutual commitment with their lives woven together. Sharing a house or a bed is not enough on its own. Each situation is assessed on its own facts and there is no one-size-fits-all rule.

If you have now separated for good and are unsure whether your relationship qualifies for equal sharing, or you want clarity about your rights after a stop-start relationship, call Tayla today. She can give you clear, compassionate legal advice to help you understand your position and plan your next steps with confidence.