

# Guide to Living Together



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Family Law Client

We can offer expert help and advice regarding the legal implications of living together.

 **Hegarty Solicitors**

Many couples now choose to live together rather than get married. Often partners in this situation are referred to as 'common-law' husbands or wives, but in fact there is no such legal status. When a couple who were living together (or co-habiting) decide to separate, there are some special issues to consider.

If you want help regarding the legal implications of living together, or separating after living together, please contact us. We will arrange to have a meeting during which we will take the details of your situation and give an indication of costs (including if you are eligible for financial assistance) for any action you decide upon.

## Co-habiting

### **Can I make some arrangements to protect my interests before we start living together?**

Nobody wants to think about the end of a relationship as you are about to start living together, but you could make some simple arrangements to protect your interests in the future. We will be able to advise you how to protect your interests before you either buy or rent a property together.

### **What are the differences between living together and being married?**

The main difference between co-habiting and being married is that there is full legislation to deal with the separation or divorce of married couples, whereas there is no such law governing co-habiting.

## Separating after co-habitation

### **What happens to the children if we are not married and decide to separate?**

For unmarried parents the mother will automatically gain parental responsibility. The father will also automatically gain parental responsibility if he is named on the child's Birth Certificate and the child was born after December 2003. Otherwise the father will have to either enter into an agreement with the mother or apply to the Court to gain parental responsibility.

There are a number of instances where the agreement of all those with parental responsibility is required, for example to change the name of a child or to take them out of the country.

Excellent  



*"Found them very friendly, and prompt in their service. Would have no hesitation using them again, or in recommending them."*

Family Law Client

### **What happens to our home if we separate after living together?**

As there are no specific laws, proceedings are decided very much on the basis of what contribution each partner made whilst they were living together and the intentions of the parties.

If the house is in the sole name of your partner this does not mean that you have no legal interest in the property if you have been contributing to the mortgage or to home improvements. If, for example, a property was jointly owned and each partner made an equal contribution to the upkeep of the property they are generally entitled to half of the equity in the property if they separate.

We can advise you of your rights if the house needs to be sold and whether you should move out your home.

### **What about other things like the furniture?**

Again there are no specific laws and it will depend upon the individual circumstances, but we will be able to help advise you regarding ownership disputes over furniture, jewellery etc.

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