

## Your Legal Questions

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**Q** My partner has just left me for another man. We had been living together in my house for over five years. She now says that she wants to claim what's due her as a common law wife. We have no children. What are her rights?

**A** As a common law wife? Absolutely none. The term has no legal meaning whatsoever. As you have no children - who could benefit from claims under the Children Act 1989 or Child Support Act 1991 (CSA) the only claims your ex could make against you are exactly the same as could be made by anyone else who shared your house - the sexual nature of your relationship matters not a jot. Presuming your ex is not a joint owner of your house, claims could arise if

- You entered into a co-habitation agreement
- You signed a declaration/deed of trust giving her financial/occupational rights
- Your partner made a financial contribution towards your house, such as lending you the deposit or paying for renovations/extensions to your house - a payment towards the bills would not be sufficient.

Obviously, anything which is in her name would be regarded as hers (unless you could prove that she was holding it on trust for you) and anything in joint names - such as funds in a joint bank account - would need to be split equally between you.

Should you think that any of the three situations above apply then you should consult a Solicitor. The law regarding this is complex in the extreme. However, if she made no financial contributions whatsoever, aside from contributing to general living expense, then in the absence of any deed or documenting evidencing to the contrary, your liability to her will be nil.

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