

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: *Murray v. McDougall*, 2015 NSSC 215

Date: 2015 - 07 - 23

Docket: SFH-MCA 059371

Registry: Halifax

Between:

Melissa Jaye Murray

Applicant

v.

John McDougall

Respondent

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Judge: The Honourable Justice Elizabeth Jollimore

Heard: June 11 and June 18, 2015

Summary: Parties cohabited, off and on, from 2000 to 2008. Child born in 2005. Unjust enrichment found for period from 2005 to 2008. Monetary payment awarded and pension divided for 2005-2008. Access schedule ordered and child maintenance determined after imputing income because father deferred income for upcoming leave of absence and reduced taxes through rental losses.

Key words: common law relationship, child maintenance, imputing income, joint family venture, parenting, pension division, section 7

Legislation: *Child Maintenance Guidelines*, NS Reg 53/98, section 7, section 19
Maintenance and Custody Act, R.S.N.S. 1989, c. 160, section 18
Matrimonial Property Act, R.S.N.S. 1989, c. 275
Pension Benefits Act, R.S.N.S. 1989, c. 340
Pension Benefits Act, S.N.S. 2011, c. 41, subclause 2(ax)(v)(2)
Pension Benefits Regulations, NS Reg 200/2105

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