

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Fougere v. Jessome, 2010 NSSC 469

Date: 20101230

Docket: SFHMCA-063544

Registry: Halifax

Between:

Mary A. Fougere

Applicant

v.

Michael P. Jessome

Respondent

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Judge: The Honourable Justice Mona M. Lynch

Heard: October 14, 2010 & November 10, 2010 in Halifax, Nova Scotia

Subject: Family, Common-law relationships, Unjust Enrichment, Spousal Maintenance,

Summary: Parties lived together for five years. Applicant made a contribution to the household expenses and the respondent paid the majority of the expenses. Parties shared the household tasks. During the relationship the respondent purchased another property which the parties were to fix up and sell. There was an agreement that the applicant would share in the profit. The parties separated prior to the completion of the renovations. During the relationship respondent earned much more than the applicant and provided her with health benefits and a standard of living higher than she could afford on her own. Parties agreed to interim spousal maintenance of \$400 a month. Applicant 66 and respondent 61

Issue: Is the applicant entitled to a division of the respondent's pension for the time that they were together? Is the applicant entitled to a share in the equity of the property purchased by the respondent during the relationship? Is the applicant entitled to spousal support?

Result: The applicant is not entitled to a division of the respondent's pension as there was no direct or indirect contribution. The applicant is entitled to

25% of the equity in the property purchased during the relationship. The applicant is entitled to spousal support in amount of \$450 a month for indefinite duration.

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