

**SUPREME COURT OF NOVA SCOTIA**  
**(FAMILY DIVISION)**

**Citation:** J. H. S. v. J. W. S., 2009 NSSC 101

**Date:** 20090327

**Docket:** 1201-059817, SFHD-040386

**Registry:** Halifax

**Between:**

J. H. S.

Petitioner

v.

J. W. S.

Respondent

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Beryl MacDonald

**Heard:** March 3 and 5, 2009, in Halifax, Nova Scotia

**Subject:** Family Law; Matrimonial Property Act

**Summary:** Husband and wife operated two businesses during their relationship. The majority of the credit extended to the family to operate these businesses and to run their household was guaranteed by the wife who continued to pay these debts after separation and will be responsible for continuing to pay this debt.

**Issue:** Was the wife entitled to an unequal division of matrimonial and non matrimonial property because she would be responsible for paying family debt?

**Result:** The wife received a division of non matrimonial property pursuant to section 13 of the Matrimonial Property Act.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***