

SUPREME COURT OF NOVA SCOTIA
FAMILY DIVISION

Citation: *Gouthro v. Gouthro*, 2017 NSSC 246

Date: 2017-09-18

Docket: *Sydney* No. 1206-006910

Registry: Sydney

Between:

Brenda Gouthro

Applicant

v.

Martin Gouthro

Respondent

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Judge: The Honourable Justice Theresa M. Forgeron

Heard: November 14, 15, 18, and December 30, 2016; May 24, June 28, and September 18, 2017, in Sydney, Nova Scotia

Oral Decision: September 18, 2017

Written Release: December 7, 2017

Issues: Unequal division of assets
Imputation of Income
Retroactive child support
Spousal support

Result The wife was granted an unequal division of the assets where the husband had impoverished the matrimonial assets by diverting and directing family funds to pay for business expenses; where the husband unnecessarily incurred debt and liabilities; and where there was a significant disparity in the contributions of the parties.

Income was imputed to the husband where his income earning capacity exceeded that which he reported to Canada Revenue Agency; where he failed to disclose relevant financial information; and where he made minimal efforts to find employment commensurate with his ability.

A retroactive child support order was granted where the wife did not delay seeking support; where the husband placed his needs in priority to the needs of the children; where the children had a need of the support; and where there was an ability to pay.

Spousal support denied given the unequal division and child support awards.

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