

# WORKING OUT IF IT IS A De Facto Relationship

*If you are unsure if you were in a de facto relationship with your ex, read through the below 'circumstances' which, if relevant to you, might prove that you were.*

## 1. Duration of your relationship

The longer you live together with your partner, the more likely the relationship will be de facto

## 2. Nature and extent of common residence

Did you live together?

- How you paid your living expenses. For example, if you paid rent to a landlord direct and not to your partner; and
- Evidence of your common residence could be found in the address you put down on official documents such as your license or the electoral role

## 3. Whether a sexual relationship exists

If a sexual relationship exists then the frequency can be considered as well as whether or not you had an agreement or understand that the sexual relationship was mutually exclusive.

## 4. The degree of financial dependence or interdependence

- Did you operate joint bank and credit card accounts?
- Did you share the household expenses?
- Did you own a house or a car together?

## 5. Ownership, use and acquisition of property

- If you and your former partner jointly own real property together?
- If your former partner had their own property and you helped pay the mortgage or undertake renovations?

## 6. The degree of mutual commitment to a shared life

- If you shared meals together and spent time together as a couple;
- If you spent time with each other's families and were involved with each other's children, if you had any from prior relationships;
- If you talked about your future and made plans for your future

## 7. Care and support of children

- If you had children together; and
- If you helped care for your partner's children or vice versa with day to day care or you provided financial support

## 8. Public reputation / if people saw you as a couple

- If you presented as a couple, or if you presented as friends;
- If you attended significant events together, for example weddings or birthday parties; and
- What your Facebook relationship status is.