

# THE FAMILY HOME: WHAT ORDERS WILL THE COURT MAKE?

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## **ABOUT THE SPEAKER AND AUTHOR**

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He is grateful to Roger Bamber and Mills and Reeves, Cambridge, for the use of their law library in preparation of these notes

## **Introduction**

For most families before the family courts on financial disputes, the family home is both the primary asset and the primary need post separation. It is probably the subject of the greatest disputes and concerns.

Lawyers should not underestimate the psychological attachments and emotional issues inextricably tied up in the family home which are wholly unrelated to the actual capital which the property represents in the balance sheet.

For some spouses, the family home has been the pinnacle of their life's achievement, perhaps the basis of their social identity, perhaps the recipient of countless hours of DIY, interior design and other improvement.

It is the centre of their social existence and perhaps the only home that the children have known

Invariably it has been the place of huge happiness, good memories, love and passion, and possibly discovery of personal identity.

Whilst ultimately the court must look only at the actual amounts involved, holistic and experienced family lawyers will take considerable cognisance of the wider issues for the client, the other party and the wider family.

Into this equation of the concerns of the adults must be placed the psychological, emotional, educational and other well-being of any children. Their concerns are for continuity, status quo, infrastructure of friends and neighbours at a time of parental and family upheaval. Conventionally this has found the courts and lawyers struggling and straining to allow the children to remain in the family home with the primary carer.

An alternative viewpoint is that at a time of upheaval, with one parent already living away from the family home, the sale of the property might not necessarily be too detrimental. It sends a message that each parent are living in new homes. Considerable regard needs to be given to the timetable of the children's education, particular exams in similar.

General features of financial provision law in England and Wales apply but there are distinctive aspects in relation to the family home.

### General financial provision law

This section can only be a summary of financial provision law of England and Wales, which has been the subject of considerable change over the past five years.

The first and most important aspect in considering the case law regarding the family home is to acknowledge the fundamental transformation in English family law on financial provision by the case of White. All previous cases need to be treated with some caution.

From the 1970s through until 2001, England operated a law primarily based on needs. In middle-class cases, needs became reasonable requirements. However it was invariably the needs of the applicant, often the needs of the party with whom the children were primarily residing. This in part accounts for the Mesher and Martin orders referred to below. They were almost certainly discriminatory against husbands. The primary question of needs became particularly problematical when the needs of the child to have accommodation with the primary parent were brought into account under section 25 (1).

Everything changed with White.

The cases of the Miller and Charman have only continued the present trend. The position now in general terms is as follows

There is a principle of a starting point of equality. There may be departures from equality if warranted by fairness considerations taking into account the s25 factors. Departures from equality are not from the principle of sharing but within the principle of sharing.

Fairness is found within needs, compensation and sharing.

If needs exceed sharing taking into account appropriate departures from equality, then needs will prevail over sharing and compensation. If sharing provides for needs, then sharing will prevail.

This applies as much to the family home as general capital.

Non matrimonial property may be more easily the subject of a departure from equality. This includes premarital assets, post separation assets in some circumstances, inheritances and gifts.

The court must look at all the resources, inclusive of trusts and other assets held by third parties or behind the corporate or other veil.

Comments by Lord Nicholls in Miller to the effect that the family home will always be subject to automatic division even if introduced by one party alone after a short marriage are considered as controversial and may not be followed subsequently.

What powers does the court have?

#### **s24. Matrimonial Causes Act 1973**

Property adjustment orders in connection with divorce proceedings, etc.

(1) On granting a decree of divorce, a decree of nullity of marriage or a decree of judicial separation or at any time thereafter (whether, in the case of a decree of divorce or of nullity of marriage, before or after the decree is made absolute), the court may make any one or more of the following orders, that is to say—

(a) an order that a party to the marriage shall transfer to the other party, to any child of the family or to such person as may be specified in the order for the benefit of such a child such property as may be so specified, being property to which the first-mentioned party is entitled, either in possession or reversion;

(b) an order that a settlement of such property as be so specified, being property to which a party to the marriage is so entitled, be made to the satisfaction of the court for the benefit of the other party to the marriage and of the children of the family or either or any of them;

(c) an order varying for the benefit of the parties to the marriage and of the children of the family or either or any of them any ante-nuptial or post-nuptial settlement (including such a settlement made by will or codicil) made on the parties to the marriage, other than one in the form of a pension arrangement (within the meaning of section 25D below)];

(d) an order extinguishing or reducing the interest of either of the parties to the marriage under any such settlement, other than one in the form of a pension arrangement (within the meaning of section 25D below);

subject, however, in the case of an order under paragraph (a) above, to the restrictions imposed by section 29(1) and (3) below on the making of orders for a transfer of property in favour of children who have attained the age of eighteen.

(2) The court may make an order under subsection (1)(c) above notwithstanding that there are no children of the family.

*(3) Without prejudice to the power to give a direction under section 30 below for the settlement of an instrument by conveyancing counsel, where an order is made under this section on or after granting a decree of divorce or nullity of marriage, neither the order nor any settlement made in pursuance of the order shall take effect unless the decree has been made absolute.*

The court can therefore make an order transferring property to another party to the proceedings or to a child of the family or to a third party for the specific benefit of the child of the family.

The court cannot

- order the transfer of property to a third party
- order the transfer of a property in the sole name of a third party
- order the transfer of a property in the name of one party and a third party
- order the transfer of a property in which a third party has a beneficial interest
- make directions regarding a property held by a trustee in bankruptcy or a mortgagee in possession
- order the transfer of a property in one court order and then subsequently order the transfer of another property in another court order, save for narrow circumstances of capitalisation on a variation of maintenance

The court has ancillary powers to order a sale of a property and to order a lump sum, again between the parties alone.

Orders can be made in respect of third parties if joined, see below

Any other provisions than within the narrow statute must be contained within recitals. This requires an agreement, another primary benefit of settling a case.

A property adjustment order cannot be made against one party to a marriage and in favour of another where the latter has remarried unless the application for the transfer was made before the subsequent marriage. Make application in form A before DA or at least give a warning to clients in precedent letter at the time of the decree absolute not to marry (or better, to issue Form A) if not then already made.

The court has power to make more than one property adjustment order, against more than one property, but all property adjustment rights must be dealt with in the same order of the court.

**“Property”** in s25 (2) is very widely construed. It will be a rare case in which the court finds itself unable to deal with property because of the restriction of definition.

Consider always the ability to borrow on mortgage as a resource.

Court can make orders against property abroad but will want to know that the order will be enforceable.

The circumstances in which to seek the court's further involvement in relation to a property adjustment order are extremely limited: s31 MCA 1973.

Take particular care if assets are tainted with criminality including involvement of HM Customs and Excise. See Drug Trafficking Act 1994 but very recent shift in procedure and expectation of outcome and burden on the other spouse.

The Court has power to transfer tenancies (s24 MCA 1973) but consider also Family Law Act 1996 and

possibly Schedule 1 Children Act 1989. The 1996 legislation may be the preferred route.

Factors for the court to consider

Where there are children, the court will look first at the provision of accommodation for them during their minority. This will be the starting point. Paramountcy of section 25 (1) welfare of the children as the first consideration requiring reasonable accommodation for their minority. However this is not necessarily the family home. There is no hierarchy within section 25 (2).

Where there are no relevant dependent children, why will the parties not have equal housing needs? If one is in a more expensive part of the country for housing purposes, a good case must be prepared to show disproportionate provision on housing.

Amongst the many factors to consider will be *“the primary concern that on the breakdown of the marriage, the parties should, if possible, each have a roof over his or her head. That is perhaps the most important circumstance to be taken into account in applying s25 MCA 1973 when the only available asset is the matrimonial home. It is important that each party should have a roof over his or her head whether or not there are children of the marriage”*: Stamp L.J. in Martin v Martin (1977) 3 All ER 762.

M -v- B [1998] 1 FLR 53 is a leading case. The Court of Appeal held that the court should endeavour to divide the capital sums available so as to enable both parties to rehouse themselves, especially where there were young children. Lord Justice Thorpe said *it was one of the paramount considerations in applying the section 25 criteria to endeavour to stretch what was available to cover the need of each party for a home, particularly where there were young children involved. There was increasing awareness of the importance that the non-resident parent should have a home of their own where the children could enjoy contact time. In any case where there was, by stretch and a degree of risk-taking, the possibility of a division to enable both parties to rehouse themselves, that was an exceptionally important consideration and one which would almost invariably have a decisive impact on the outcome.* In the particular case, the resources were available to make a division which would, just about, enable each to rehouse in the judge’s order which had awarded the husband a large sum of an infant sufficient size was set aside and a larger sum awarded. See also H v H (Financial Relief: Conduct) [1998] 1 FLR 971.

Note, however, the views expressed by the House of Lords Piglowska v Piglowski (1999) 2 FLR 763. The House felt that the Court of Appeal had gone too far in trying to rehouse both parties. Lord Hoffmann stressed that the s25 factors were not ranked in any form of hierarchy and which of them would carry most weight would depend on the facts of each individual case. There was no rule that spouses invariably had the right to purchase accommodation. While that must be right, the need to ensure an effective right to family life for both parties in cases involving children is likely to lead a result where they are both able to rehouse whenever possible.

The House of Lords said that the statement of the desirability of the non resident parent having his own accommodation should not be elevated into a rigid rule of law. There was no rule of law that each party must be able to purchase a property and each case depends on its own facts. Distinctive issues within the case where the costs were the level of the available assets!

The most recent decision (and first post White v White) is Elliott v Elliott (2001) 1 FCR 477. This is of considerable importance as it potentially reintroduces the Mesher order. The first instance Order did not address the importance of equality of treatment by ignoring the husband’s entitlement to deploy capital from the matrimonial home to a home for himself and was accordingly founded on erroneous reasons. The husband’s charge of 45% over the wife and children’s new home was reinstated. Interestingly the

Order appealed against was made in September 2000 and the Court specifically said that the Judge did not have the benefit of White so did not consider the importance of equality of treatment.

At first instance, the judge had said that to put the wife in a house which she would have to sale or remortgage subsequently couldn't be right. The house was not capital but somewhere for her to live. This was particularly condemned by the Court of Appeal. Lord Justice Thorpe said: *"it seems to me that that is altogether too partisan a perspective. It ignores the husband's reasonable entitlement to deploy capital to house himself at the end of a long marriage during which he has worked hard, mainly in the police service, and has contributed his earnings to the building of family capital. If the judge had thought that the deletion was justified by the compensatory deletion of the nominal periodical payments order, I think it was plainly wrong. There are instances in which the interrelationship of capital and income orders justifies the increase of a wife's capital share as compensation for the loss of income claim. I do not think that this was appropriately one. The husband has a reasonable and discernible need for his share of the family capital at the earliest time that the needs of the children permit. As soon as the wife's responsibilities as the homemaker for the children reach a point of natural termination, at that point clearly the husband is entitled to his capital share"*

The share was not increased to 50% as he had a better earning capacity and the wife would suffer some disadvantage in terms of the loss of pension.

The position now is that with a starting point of equality, this includes an equal share in the family home. This share can be departed from on the section 25 criteria.

The mere fact of needing a particular share of the capital to provide accommodation for one party with the primary residence responsibility of the children is no reason necessarily to depart from equality. It may be a very good reason for a particular arrangement of the capital provision such as on a Mesher terms. But a husband has capital needs too.

Capital and income are interrelated in that if a family home is very expensive to maintain, and the wife requires periodical payments, this may be a basis for the husband insisting on a sale. C v C (Financial Provision) (1989) 1 FLR 11, the retention of the matrimonial home would require an unacceptably high burden of periodical payments on the husband.

Take care when post separation and before settlement, the husband purchases, even perhaps with substantial borrowings, a property in the same value of the family home or greater. It will be very hard for him subsequently to argue that the family home should be sold and the wife move downmarket. There may be issues regarding liquidity and similar but the impact on the judge of such a situation can be substantial.

Separate issues arise when the family home is also the place of business. The house should not be sold if possible, M v M (1976) Fam Law 243. However it is different if the business can be moved elsewhere, Bigg v Bigg (1978) Fam Law 12.

The incidence of capital gains tax must always be considered, especially on Mesher orders when it is likely that the husband will, by the date of the eventual sale, have purchased another property, almost certainly then his principle private residence, and be subject to CGT on his share. In the circumstances, it may make the Mesher even less attractive for him.

As to future contribution, it is of course likely that the wife, as primary resident parent, will make a greater contribution, perhaps with some prejudice to her career and other prospects such as pension ending. Equally, now child maintenance has been taken from the jurisdiction of the courts, there is a presumption that reasonable financial contribution will be made by the husband in the form of child support. The previous trend of cases in which the wife was given a greater, sometimes much greater,

share of the family home based on her future contribution may no longer be good law, alternatively not so reliable law.

Some recognition of the compensatory element, post separation and until the children are no longer dependent, and perhaps continuing thereafter, will still be relevant but must be pleaded very carefully.

In any event, note must be made of different parenting patterns than a decade ago. In a number of instances, but certainly not in all, fathers are playing a much greater role in the lives of their children post separation. Undoubtedly contact provision is rightly much greater now than a decade ago. A normal pattern of alternate weekend contact from Friday evening to Monday morning together with weekly overnight contact, perhaps Wednesday after school until Thursday morning, is quite normal. Therefore whilst the mother will be still with the greater caring responsibility as residence parent, this is more reduced.

The court cannot ignore the existence of local authority housing. In Jones (1990) 1 FLR 27, the court said it did not see how the court could perform its duty without taking into account what would happen to those deprived of the right to live in the matrimonial home. This did not necessarily involve having regard to the effect of the local authority housing policy and the court did not think it correct to describe the effect of such an approach as being to manipulate housing lists or abuse the function of the council. The fact the one party may be eligible for local authority housing is a valid consideration, subject to the facts of the case.

What orders will a court make

There are various patterns for resolution:

- sell the property and divide the proceeds as appropriate
- postpone sale for a specified period, the conventional Mesher order
- transfer to one spouse subject to a charge realisable in certain events, similar to a Mesher order
- transfer subject to payment of a lump sum, if and when obtainable
- transfer out right to one party, perhaps as offsetting,

Disadvantages of an ongoing interest in the property in which the spouse with primary residence is remaining include:

- desirability for finality
- undesirability of maintaining a link between the primary residence parent and non residence parent on financial issues
- uncertainty as to the future ability of the primary resident parent to rehouse themselves once the children had left home
- the value of the property in question
- the length of time likely before the property could be sold
- the fact that ownership of a property, particularly at modest value, is not always a better position than someone entitled to reasonably secure rented accommodation

Offsetting.

This is a conventional model. One party retains the family home in lieu of other capital claims or other sharing

It was used significantly before the availability of pension sharing. In a number of those cases, the wife

would have all of the family home with the husband having the pensions. This was very hard on the husband. Who can live in a pension?! Nevertheless it was often the only fair outcome given the lack of pension sharing powers. Some cases decided before the availability of pension sharing come into this category and must be considered with care accordingly.

With pension sharing, there is much greater argument now for the husband to have a share of the family home on the basis that the wife then has a share of the pension.

Is it reasonable and affordable for one spouse to stay in the former matrimonial home? Will that party's income and/or maintenance pay outgoings? What standard of alternative accommodation should one or both spouses seek? Is this now the same standard? Does the departing spouse need capital to provide accommodation for himself which cannot be provided without a sale? Will the retention of the property prevent an appropriate division of the capital assets?

A sale to raise funds for a departing spouse may not be necessary. Consider other possibilities, e.g. re-mortgage, loan from company, deferred charge, sale of other assets.

### Meshes Trust for sale

Meshes v Meshes, a 1973 case reported at (1980) 1 All ER 126, started a widespread trend of trusts for sale in the mid and late 70's. They were used almost exclusively in the late 1970s through to the mid 1980s. In summary, the sale of the property is postponed until the youngest child reaches a certain age, often 17 or 18 subject to ongoing education. Often it allows for sale and purchase of a substitute property. Historically it used to provide for the trust for sale coming to an end if the wife remarried or cohabited but this is at last now recognised as an incidence of penalising the children for the wife's relationships.

It gives the benefit of continuity for the wife and children.

It is often expressed as a % but can be a deferred lump sum.

However, there are major problems with them. They caused much injustice and suffering when the trusts for sale end and the occupant spouse has insufficient to rehouse. In Carson v Carson (1983) WLR 285.291 Ormrod L.J. referred to the "*chickens coming home to roost*". The device was thereafter used only with care.

Despite many attempts, there is no means in statute law to vary the terms of the Meshes once made other than by agreement.

They still have much to commend them in suitable cases. The primary purpose is stability and continuity of accommodation for the children, therefore according with section 25 (1) MCA.

Where the wife has not acquired an entitlement to the capital in the family home, for instance due to shortness of the marriage and lack of marital acquest, yet there is a dependent child, it may then be appropriate for a Meshes order but with a very small proportion going to the wife on sale. This needs careful consideration given the potential compensation claim and prejudice to the wife by the primary child care responsibilities. Such a scenario is likely however to involve the employment of nannies etc therefore different issues may arise.

Be careful of giving a deferred lump sum interest in a property in view of fluctuations in the property market, etc. It is better to have a percentage interest: Hope-Smith v Hope-Smith (1989) 2 FLR 56.

In Tavoulaareas -v- Tavoulaareas [1998] 2 FLR 418 a form of Mesher was used for the wife's benefit during the child's dependency with the remainder to go to the child absolutely. This was an exceptional case and both parties came from wealthy families.

In B v B (Mesher Order) (2003) 2 FLR 285, it was held that a Mesher order was inappropriate where there was a young child and the commitment of the mother to child rearing would mean that her ability to generate capital would be much less than that of the husband. The result would be inequality of outcome which was discriminatory and unacceptable.

Perhaps as a consequence and notwithstanding Elliott (above), it would be unusual for the court now to make a Mesher order unless it was satisfied on evidence either that the net proceeds would be sufficient to provide for both parties or for some reason this was necessary or desirable. There may well be cases in which a Mesher order may be suitable but alternative forms of order may be more appropriate.

#### Outright transfer

If the house is the only asset and, for instance, there is a risk that the husband may not support the wife and any children, then an outright transfer is often the only means of giving her security: Bryant v Bryant (1976) 6 Fam Law 108.

The wife may not be able to raise any funds (e.g. on mortgage) to pay a lump sum (in consideration of his interest) to the husband. Accordingly, there may be an outright transfer to her such that he will lose his entire legal interest in the property. Such an order would most likely be coupled with reduced or dismissed periodical payments for the wife.

Post White, would the husband now be more likely to receive a deferred interest? Would the possibility of non payment of maintenance be a good reason to depart from equality or is this a case where the resources do not exceed needs and equality does not apply. Following the Child Support Act 1991, a husband must not agree to the wife having a higher capital award on the basis that his ongoing liability for the children, also, will be decreased/non existent unless safeguards are built in, e.g. a chargeback equal to any CSA assessment. Also beware the future changes to the CSA.

#### Indefinite postponement of sale

This is known as a Martin order. It continues until, for example, occupant's death, re-marriage or voluntary removal/sale or cohabitation.

Martin v Martin (1977) 3 All ER 762. The husband had no immediate need of capital. The wife needed the house or the entire proceeds to provide accommodation. Her share of equity would be insufficient. A deferred sale only created deferred hardship. Increasing use of Martin orders linked with reduced periodical payments to wife: Hanlon v Hanlon (1978) 2 All ER 889.

Martin orders gained credence because of unhappiness with the injustices of Mesher orders. Unlike the Mesher order with a fixed event in the relatively foreseeable future namely the youngest child ceasing full-time education, the Martin order continues until the occupying spouse volunteers to leave, alternatively death, perhaps marriage or cohabitation. The husband may himself have died! Often it was linked to reduced periodical payments although can no longer be linked to child support given the involvement of the CSA. It is appropriate in cases where it is believed that there will be no or no meaningful ongoing income support where it is needed.

However it was undoubtedly made pre-White in many cases in a form which was wholly gender discriminatory against husbands. In retrospect, it is amazing that there was not more outrage.

The Martin order cannot be justified on the bases that it will produce a clean break and assuage bitterness between the parties.

### Life interest

Consider giving the wife a life interest in the property which is then to belong to the children or revert to husband. The Court will not favour indirect provision for children in this way: Chamberlain v Chamberlain (1974) 1 All ER 33, but this may find favour with some clients.

Occupation rent flourished in early 1980's (Harvey v Harvey (1982) 1 All ER 693) but declined in use. Will its use be revived?

Reliance should not be placed on either party finding council accommodation, Ormrod L.J. in Martin (1977) 3 All ER 762.

Other aspects

### Interim provision

The court has no power to make an interim property adjustment order. Wicks -v- Wicks [1998] 1 FLR 470 confirmed. The court has no power to appropriate capital pending the final hearing (Barry (1992) 3 AER 405 disapproved)

There is no inherent jurisdiction; F -v- F (Ancillary Relief: Substantial Assets) [1995] 2 FLR disapproved.

There is no jurisdiction to make an interim order for sale pursuant to RSC Order 31 and FPR r 2.64(3); Green -v- Green [1993] 1 FLR 6326 disapproved.

It is possible to apply for an order for sale pursuant to MWPA 1882 or TL ATA 1996 but the court cannot vary legal entitlement.

The new s.22A Matrimonial Causes Act 1973 would have given the Court power to award an interim lump sum but this fell at the same time as non fault divorce!

Although the court has power to grant a second lump sum on a variation of maintenance order including to capitalise, this can also include one or more property adjustment orders. However these will only be in pursuance of the capitalisation and not a variation of capital or accommodation needs.

### Joining Third parties

It is a frequent occurrence and experience that a third party alleges an interest in the family home, perhaps because of a loan, in writing and/or sometimes oral, perhaps through a contribution, and in other ways other than legal mortgage. Sometimes a parent alleges that a gift to enable the purchase of the family home was conditional upon the marriage continuing and if the property were now to be sold at a time of divorce, the parent would want the amount returned. Sometimes there is a very tightly woven into relationship of family loans and payments which it is immensely difficult to understand.

Sometimes it needs very careful cultural understanding and explanation. Sometimes suspicion arises that culture and ethnic background is being used as a cloak.

Nevertheless, until the court has properly understood what are the respective interests of the parties and others in the family home, progress cannot really be made. It is essential to understand if a third

party has a beneficial interest in the property or in the proceeds of sale. It is the duty then of the court to give the third party an opportunity to make representations with respect of such an order, including the circumstances set out in section 25.

For case law see originally T v T (Joinder of third parties) (1996) 2 FLR 357.

Now see TL v ML (Ancillary relief: claim against assets of extended family) (2006) 1 FCR 465 in which Nicholas Mostyn QC sitting as a deputy High Court judge gave guidance on joining interested third parties at paragraphs 36 and 37. He said

*In my opinion, it is essential in every instance where a dispute arises about the ownership of property in ancillary relief proceedings between the spouse and a third party that the following things should ordinarily happen:*

1. the third party should be joined the proceedings at the earliest opportunity
2. directions should be given for the issue to be fully pleaded by points of claim and points of defence
3. separate witness statements should be directed in relation to the dispute and
4. the dispute should be directed to be heard separately as a preliminary issue, before the FDR

*In this way, the parties will know at an early stage whether or not the property in question falls within the dispositive powers of the court and a meaningful FDR can take place. It also means that the expense of attendance of the third party for the entire duration of the trial can be avoided. It is a great pity that none of these steps took place in this case. Had they happened, I believe that a great deal of costs would have been saved.*

#### Relevance of cohabitation

This may be a factor going to the question of needs, for instance one party has other accommodation provided to them. However note must be made about the short-term nature of many cohabitation relationships, particularly those in the immediate aftermath of divorce and separation. Will it last? Might one party be kicked out soon after the final order is made but with the court having relied on them having accommodation? Unless there is any interest in the property, it is submitted that it should be treated as akin to a tenancy.

If there has been an interest created in the new property with the cohabitant, the court needs a careful examination of what is the exact extent of that interest. Perhaps the cohabitant should be joined? Certainly they should be invited to state what they consider is the interest of the spouse in their property. This may need preliminary investigation. It may put the new relationship at risk! The cohabitant should take separate advice.

#### Housing particulars.

It is rarely beneficial for these to be included at the stage of the Form E, financial statement. It is appropriate to ask for the other sides in a questionnaire but it is probably more appropriate and better practice to have a direction at the first appointment for production on each side. One example is for each party to produce a period before the financial dispute resolution hearing sample estate agent particulars that each considers appropriate for themselves and for the other. The requirement to produce both for themselves and for the other party often becomes a sobering experience!

Do not produce multi properties on one page, for example as sometimes found on the Web and in adverts. Produce a few particulars. Before the final trial and preferably before the FDR, make sure that the client has seen the properties at least on the outside and can deal with any particular queries about them. If they are believed to be particularly unsuitable for any reason, this should be disclosed

in advance. If there have particular issues regarding the cost of works to put into a habitable state or perhaps the property is in an unsafe area, this must be known in advance.

It can often be valuable to produce a map showing the particular properties preferred by each party, perhaps plotting local schools, travel routes, local employers and similar.

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