

Key Considerations When Implementing or Reviewing Cohabitation Agreements



Tell Us About Your Current Situation

It is useful to understand whether you are:

- Planning to move in together
- Purchasing a property together
- Already living together
- Considering separation
- Recently separated
- In a dispute about property or finances

If you have separated, make a brief note of when the relationship began, how long you lived together and when the separation occurred.



Gather Information About Your Property

Property is often one of the most important issues for cohabiting couples. If you have the title documents, purchase documentation or Declaration of Trust available, these can be particularly useful.



Gather Any Existing Agreements

Let us know if you already have documents setting out how your finances or property should be dealt with.

These could include:

- A cohabitation agreement
- Declaration of Trust
- Property ownership agreement
- Loan agreements
- Written agreements about financial contributions
- Correspondence between you and your partner
- A Will containing relevant provisions

We can review these documents and explain how they may affect your position.

Prepare an Overview of Your Finances

If your enquiry relates to separation, an approximate overview of your financial circumstances can help us understand what is at stake. Unlike divorce, there is currently no general process under which all of a cohabiting couple's assets are automatically considered and redistributed simply because the relationship has ended.

Consider What You Want to Achieve

Think about your preferred outcome. Understanding your priorities will help us identify the most appropriate approach.

Tell Us if Anything Is Urgent

Make us aware of any immediate concerns, particularly where your former partner is threatening to sell or dispose of property. Early advice may provide more options for protecting your position.

Consider Costs and Proportionality

The cost of resolving a cohabitation dispute should be considered alongside the financial value of what is at stake.

Where possible, we will explore whether matters can be resolved through negotiation or agreement rather than prolonged court proceedings. Property disputes can become legally and factually complex, so we will discuss the likely costs, potential outcomes and commercial value of pursuing different options with you.

Our aim is to help you make an informed decision about whether the legal steps being considered are proportionate to the result you are seeking.



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