



Family Law

CALL US - BEFORE
YOUR EX DOES!



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LAWYER

Q

Our daughter is attending University this fall, and my ex is refusing to pay any of the costs. We signed a separation agreement that said we would share in extraordinary expenses but my ex says that she doesn't have to pay because it doesn't specify post-secondary education costs and as far as she is concerned, our daughter gets OSAP and can go into debt. We both make a good living and I don't agree. What's my next step?

A

In general, the Courts see post-secondary education costs as being eligible extraordinary expenses.

You and your ex both 'make a good living'; the Courts traditionally instruct parents who have the economic capacity to assist their children with the costs of post-secondary education, to do so, rather than have the child graduate from a four-year degree with a large debt.

The child is expected to contribute from their savings/part-time or summer employment, in the range of \$2000 - \$3000 per academic year. That along with any RESP, scholarships or bursaries, and/or OSAP grant is deducted from the total of the costs, and the remainder is split between the parents, either on a pro rata [according to their relative incomes] or on an agreed-upon

fixed percentage [say 50/50 or 40/60, for example.]

Reach out to your ex via email, attaching the following: your child's actual costs and budget [many university students are attending remotely this year while living at home, which removes the costs of residence/meal plans, but increases the home costs of food, transportation, and Internet among others] with your 2019 tax return, and propose a number to which she contributes. Don't forget to include the deposits and payments already made. If no agreement, book an appointment with a Family lawyer sooner rather than later.

Your friends at Shank Law.

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