



STEVE MUELLER'S –  
SYNDICATE LEGAL SERVICES

COHABITATION  
AGREEMENT

# Syndicate Legal Services – Cohabitation Agreement



## SYNDICATE LEGAL SERVICES

*Team of:*  
*Attorneys / Lawyers*  
*Law Clerks*  
*Paralegals*  
*Industry Specialists*

Married couples are afforded a wide range of benefits and advantages, including tax breaks, insurance coverage, death benefits, and legal rights to shared property. Unmarried couples lack most of these rights unless they take affirmative steps to create them. Most couples do not realize that they can guarantee themselves many of the financial protections offered by marriage by making a contract known as a **Cohabitation Agreement**.

A Cohabitation Agreement is a contract between unmarried people who live together, defining their rights and responsibilities. Cohabitation Agreements cover much of the same ground as Domestic Partnership Agreements or Prenuptial Agreements, offering the chance to strengthen relationships by alleviating potential sources of conflict. The agreement can establish financial responsibilities for each partner both during and after cohabitation, operating like a Prenuptial Agreement in the event of a breakup.

Cohabitation Agreements are generally governed by Contract Law in most states, meaning they must be legally sound and follow all appropriate requirements in order to be enforceable. Cohabitation Agreements should be made in writing and signed (and notarized) by both parties. While courts may enforce some oral agreements, you are much safer executing a written contract.

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A Cohabitation Agreement can cover each party's rights and obligations concerning, for example:

- Financial support during and after the relationship
- Property acquired before the relationship
- Property acquired during the relationship
- Jointly-owned property and investments
- Food, housing, utilities, and other expenses
- Property acquired through inheritance or separate gift during the relationship
- How to resolve any disputes that arise from the agreement (for example, binding arbitration)

Cohabitation Agreements are not meant to cover personal aspects of a relationship, such as household chores, pets, or child custody rights.

When should a Cohabitation Agreement be Considered:

- When one party has a substantially higher income and other assets.
- When one party has given up career opportunities or left the workforce to be a full-time parent or homemaker.
- When one party is earning the lion's share of the income while supporting the other party earning an advanced degree.
- When the parties wish to establish whether there will be financial support should the relationship end.
- When either party has business interests, assets, or debts they would prefer to keep separate.
- When one party is making payments toward property owned by the other party.
- When the couple buys a home together or makes other joint investments.

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