

SHORT BASIC CHECKLIST FOR LEGAL COHABITATION

Regulation concerning the children

- ✗ Parental authority (link parental agreement to it)
- ✗ Residence arrangement
- ✗ Distribution of costs
- ✗ What are extraordinary costs?
- ✗ Maintenance contribution for the children after dissolution

Regulation concerning the family home

- ✗ Both owner: which division?
- ✗ Contribution by one of the partners
- ✗ Leased property: who may take over the lease if the lease is entered into together?

Regulation concerning the goods

- ✗ LC is based on the separation of goods. There is no community that allocates the goods to the surviving legally cohabiting partner in a tax-efficient manner. Determine in the cohabitation agreement what happens to the goods after dissolution of the LC.
- ✗ Which acts of control can be performed alone, which must be made together?
- ✗ What happens to the goods upon termination of the relationship or upon death?
- ✗ Analogous application of article 1435 of the Dutch Civil Code and further (fate of investments in real estate of other assets)

Regulation concerning financing the coexistence

- ✗ What amount is deposited into the joint account each month?
- ✗ What is paid with the joint account?
- ✗ What are the costs/burdens of living together? This can be defined in the agreement.
- ✗ What if one of the partners stays at home to take care of the family and therefore no longer works? Fit reimbursement.
- ✗ Maintenance contribution, limited in time, for the other partner

Regulation concerning the right of inheritance must be included in a will

- ✗ You can inherit from each other at the same rate as married couples. However, the legal minimum right of inheritance for the longest living legally cohabiting partner is the usufruct over the family home and household effects for six months or the right to the rent of the family home and household effects.
- ✗ Provision of accretion: after the death that your part of the real estate accrues by operation of law with your partner