

Chen v. Chen - Final Order

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

MICHAEL CHEN

Claimant

AND:

SARAH CHEN

Respondent

Before: The Honourable Justice R. Thompson

Date: June 15, 2024

Docket: E-224156

Registry: Vancouver

FINAL ORDER

THIS COURT ORDERS that:

DIVORCE

1. A divorce is granted under the Divorce Act (Canada) effective 31 days from the date of this order.

GUARDIANSHIP AND PARENTING ARRANGEMENTS

2. Both parties are guardians of the children of the marriage, namely:

(a) Emma Chen, born March 12, 2016; and

(b) Lucas Chen, born September 3, 2019.

3. The children shall reside primarily with the Respondent mother.

4. The Claimant father shall have parenting time as follows:

(a) Every other weekend from Friday at 5:00 p.m. to Sunday at 6:00 p.m.;

(b) Every Wednesday from 4:00 p.m. to 8:00 p.m.;

(c) Two consecutive weeks during summer vacation, with dates to be confirmed by May 1 each year;

(d) Alternating statutory holidays and school breaks as set out in Schedule A attached.

5. Neither party shall relocate the children's habitual residence more than 50 kilometers from their current residence at 2847 Oak Street, Vancouver, BC without written consent of the other party or court order.

CHILD SUPPORT

6. The Claimant shall pay to the Respondent child support in the amount of \$2,340 per month for both children, based on his annual income of \$145,000, commencing July 1, 2024.

7. The parties shall share section 7 expenses proportionally based on their respective incomes (Claimant 62%, Respondent 38%), including:

- (a) Childcare expenses;
- (b) Medical and dental expenses not covered by insurance;
- (c) Extracurricular activities agreed upon by both parties.

SPOUSAL SUPPORT

8. The Claimant shall pay to the Respondent spousal support in the amount of \$1,800 per month for a period of 7 years, commencing July 1, 2024, subject to material change in circumstances.

9. The Respondent's entitlement to spousal support is compensatory in nature, recognizing her career sacrifices during the 12-year marriage to care for the children.

PROPERTY DIVISION

10. The family residence at 2847 Oak Street, Vancouver, BC shall be sold and the net proceeds divided equally between the parties.

11. The Claimant shall retain his RRSP holdings valued at \$186,000 and shall pay an equalization payment of \$47,500 to the Respondent within 90 days of this order.

12. Each party shall retain the motor vehicle currently registered in their name.

13. The Respondent shall retain the contents of the family home, except for items listed in Schedule B attached.

COSTS

14. Each party shall bear their own costs.

The Honourable Justice R. Thompson