

How to Complete a Property Statement

Instructions

A Property Statement (Form 10.04A) is a sworn document that gives the Court information about your assets and debts.

You only need to fill out a Property Statement if you or the other person is seeking a division of property (matrimonial property or common law property). If either the Applicant or the Respondent makes a claim for property, both persons must each fill out a Property Statement.

Completing Your Property Statement

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out the entire Property Statement. If you need more space to fill out any section of this Property Statement, attach an extra page and indicate which section is continued on the extra page.

Filing Your Property Statement

You can file your Property Statement together with your Application, Response, or Reply. You must make **3 extra copies** of your completed and signed Property Statement (including any additional documents). File your original Property Statement with the Court. To file the Property Statement, you must bring the Property Statement to the Supreme Court location where your file is or you can mail it to that location.

Serving Your Property Statement

You must give a copy of the Property Statement to the other person. This is called *service*. You can serve your Property Statement together with your Application, Response, or Reply. If you are serving the property statement alone, you can serve the other person by: personal service (an adult who is not you can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

Important Note

If you find out that this property statement is incorrect or incomplete, or that the information has changed, you must file the correct or updated information with the Court (with a new property statement or an amended property statement). You must also serve the other person with the new information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING OR FILING THIS FORM ---

Form F10.04A: Property Statement (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

☐ NOT APPLICABLE
☐ SECOND APPLICANT
☐ SECOND RESPONDENT

You must swear or affirm that what you have written in this Property Statement and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

My name is _____
(Print Name)

I am the ☐ Applicant ☐ Respondent ☐ Other

I live in _____
(City, Province)

I declare that the facts and information in this Property Statement and all attachments are true and complete to the best of my knowledge and belief as of: _____
(Date: month/day/year)

- ☐ I do not anticipate any significant changes in the information set out in this Property Statement; OR
☐ I anticipate the following changes in the information set out in this Property Statement: *(state the changes)*

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Part A Assets

For all of the applicable assets below, fill in the best estimate of the market value/amount of each asset. You may check to see if the asset is exempt from distribution in Part C of this form. If you need more space or more entries, attach an extra page (or pages).

Home and Other Real Estate

Include any interests in land owned as of the date of this Property Statement.
List any leasehold interests, mortgages, encumbrances, or costs of disposition in Part B.

Name(s) of registered owner(s)	Type of ownership	Property address	Estimated market value on date of separation	Estimated market value on current date

Vehicles

Examples: cars, boats, trailers, snowmobiles, etc.
List any payments, leases, or loans in Part B.

Name(s) of registered owner(s)	Name of person(s) in possession of the vehicle	Year, make, and model of the vehicle	Estimated market value on date of separation	Estimated market value on current date

Household Contents

Examples: furniture, kitchen appliances, etc.
Attach a list of household contents. For each item, indicate:

- What the item is
- Who has possession of the item
- What the estimated (used) market value (not replacement value) is
- Whether you want the item

☐ I have attached a list of household contents to this Property Statement.

Bank Accounts and Savings

Examples: Cash, savings/chequing accounts, term deposits, TFSAs, etc.

Name(s) of account holder(s)	Type of account	Institution and branch name	Account number	Estimated value on date of separation	Estimated value on current date

Safety Deposit Boxes

Location	Contents

Employment Benefits

Examples: Severance pay, retirement allowances, pensions, RSPs, profit sharing plans, accrued annual leave, etc.

Name of owner	Type of benefit	Institution	Account number	Estimated value on date of separation	Estimated value on current date

Insurance Policies

Examples: Life insurance, disability insurance, etc

Name of owner	Insurance company	Type of policy and policy number	Beneficiary	Face Value	Cash surrender value on date of separation	Cash surrender value on current date

Investments and Securities

Examples: RRSPs, RESPs, Shares, bonds, mutual funds, warrants, options, debentures, notes, etc.

Name(s) of owner(s)	Type of investment	Account number	Number of units held	Estimated market value on date of separation	Estimated market value on current date

Business Interests

Examples: Interests in incorporated businesses, sole proprietorships, partnerships, trusts, joint ventures, etc.

Interest held by	Name of company or firm	Description of interest	Estimated market value on date of separation	Estimated market value on current date

Money Owed to You

Examples: Personal loans, business dealings, court judgments in your favour, etc.

Owed to	Details	Amount owed on date of separation	Amount owed on current date

Other Property

Examples: Collections, hobby goods, rewards points, patents, copyright claims, etc.

Name(s) of owner(s)	Description	Estimated value on date of separation	Estimated value on current date

Part B Debts and Liabilities

For all of the applicable debts and liabilities below, fill in the best estimate of the market value/amount of each debt or liability. You may check to see if the asset is exempt from distribution in Part C of this form. If you need more space or more entries, attach an extra page (or pages).

Home Mortgages and Other Mortgages

Name of lender	Names of all borrowers	Mortgage account number	Is this debt in arrears?	Amount owing on date of separation	Amount owing on current date

Loans

Examples: Personal loans, lines of credit, etc.

Name of lender	Names of all borrowers	Type of loan and account number	Is this debt in arrears?	Amount owing on date of separation	Amount owing on current date

Tax Arrears

List all unpaid taxes in any previous taxation years.

Money owing to the Canadian Revenue Agency (CRA) for years:	Personal amount owing on date of separation	Personal amount owing on current date

Credit Cards

Name of primary cardholder (and any secondary cardholder(s))	Type of credit card and account number	Amount owing on date of separation	Amount owing on current date

Other Debts and Liabilities

Examples: Charges, liens, notes, accounts payable, contingent liabilities, unpaid legal bills, leases, financing plans/agreements for cars, furniture, etc.

Name of lender	Names of all borrowers	Details (including account number, if any)	Is this debt in arrears?	Amount owing on date of separation	Amount owing on current date

Part C Property Exemptions

List property that you believe should be exempt from sharing. Please refer to section 18 of the Family Law Act for a list of items that may be listed as “exempt.” If you need more space or more entries, attach an extra page (or pages).

Examples:

- Gifts, inheritances, trusts or settlements (received from a person other than the other spouse)
- Personal injury awards (excluding any compensation for economic loss)
- Personal effects
- Exempt business assets (refer to section 29 of the *Family Law Act*)
- Property exempted under a marriage contract or separation agreement
- Family heirlooms
- Real or personal property acquired after separation

Description	Reason for exemption