

# HOWARD S. DYMENT

## FAMILY LAW

OVER 40 YEARS EXPERIENCE

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### Dear Howard,

This Spring newsletter contains an article entitled Masters of Love, which I feel strongly that everyone who is in a relationship or may be considering a relationship, should read. Relationships in the United States have a 70% failure rate and Canada is not far behind. This article sets out a very common sense approach to reduce this truly appalling statistic.

The balance of the articles reflect new law as it relates to the family. Should you find yourself in a situation as described in these articles, you should familiarize yourself with what is set out.

Connectivity, which we experience today, mainly through social media, is very important to me. With that in mind, I took my Web Site down and re-worked it to produce a site that is fully integrated with my Practice. This includes, videos, trusted resources, testimonials, revised and new articles, now carefully indexed for ease of reference. I know you will find these revisions helpful and most informative. My new Site can be found at the same web address: [www.dyment.com](http://www.dyment.com) or you can use the quick links above to access these new features directly.

### Masters of Love:

**Science says lasting relationships come down to - you guessed it - kindness and generosity.**



Every day in June, the most popular wedding month of the year, about 13,000 American couples will say "I do," committing to a life long relationship that will be full of friendship, joy, and love that will carry them forward to their final days on this earth.

pile up with children, career, friends, in-laws, and other distractions crowding out the time for romance and intimacy - couples may put less effort into their relationship and let the petty grievances they hold against one another tear them apart. In most marriages, levels of satisfaction drop dramatically within the first few years together. But among couples who not only endure, but live happily together for years and years, the spirit of kindness and generosity guides them forward.

To discover how science can lead to a long-lasting relationship click [here](#).

## A New Shade Of Gray!

### The Spousal Support Advisory Guidelines Now Apply to Variation Applications



The Court of Appeal of Ontario in the case of *Gray v Gray* overruled in October of 2014 the obiter in the *Fisher* decision and found that the Spousal Support Advisory Guidelines (SSAG) do apply to Variation Applications in spousal support reviews including those that deal with income fluctuations and obligations that result from second families.

This is a wholesale change in the law and has significant consequences. Please click [here](#) to read the full article.

## Child Support Quantum

### Where Income Exceeds \$150,000.00 and Retroactive Adjustment



Child support where the payor's income is less than \$150,000.00 per annum is based strictly upon what is set out in the Child Support Guidelines (CSG).

Only where annual income of the payor exceeds \$150,000.00 is there some discretion in the court to award less than what the CSG would ordinarily provide.

Where child support has been underpaid in situations where the payor's income was later to be found to have exceeded \$150,000.00 per annum, a retroactive child support adjustment is required. This triggers an inquiry about whether the table amount is inappropriate, having regard to the condition, means, needs and other circumstances of the child who is entitled to support and the financial ability of each spouse to contribute to the support of the child, pursuant to s. 4(b)(ii) of the CSG.

To read more about this issue click [here](#).

## Spousal Support Quantum & Retroactive Adjustments



The SSAG uses the incomes of each party, the respective obligations for child support, the age of the parties and the length of the marriage as the main considerations. There are, however, several other important considerations in the circumstances of the parties which take the issue of quantum outside the basic SSAG framework. Departure from a strict application of the SSAG may also be appropriate in circumstances of a payor whose income exceeds \$350,000.00 per annum.

## IN SUMMARY:

As I have your email address already in my database, you have automatically been subscribed to these emails. Should you wish, you may unsubscribe at any time by following the instructions at the bottom of this or future emails. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Howard S. Dymont

### Law Offices of Howard S. Dymont

390 Bay Street

Suite 910

Toronto, Ontario M5H 2Y2

Tel: 416-861-0087 ext. 225

Fax: 416-946-1329



PROUD SUPPORTER OF:

