

# Section 53(3) Statement

## Northwest Territories

)  
) IN THE MATTER of the *Family Law Act*, S.N.W.T. 1997, c. 18,  
) as amended (“the Act”)  
)

TO WIT:

I, (mortgagor) \_\_\_\_\_, STATE:

1. That I am the registered owner of the lands legally described as follows:

LOT \_\_\_\_\_

BLOCK \_\_\_\_\_

PLAN \_\_\_\_\_ (herein called the “Property”)

2. That I understand the term “spouse” is defined in the Act to be a person who:

“spouse” is defined in the Act to include either of a man or a woman who:

- (a) is married to another person,
- (b) has together with another person entered into a marriage that is voidable or void, in good faith on the part of the person asserting a right under the Act, or
- (c) has lived together in a conjugal relationship outside marriage with another person, if
  - (i) they have so lived for a period of at least two years, or
  - (ii) the relationship is one of some permanence and they are together the natural or adoptive parents of a child.

I understand that it is possible to have more than one spouse at a time under the Act.

INITIAL THE FOLLOWING AS APPROPRIATE

3. That during the past 3 years:

- \_\_\_\_\_ a. I have not resided in the property.
- \_\_\_\_\_ b. I have resided alone in the property.
- \_\_\_\_\_ c. I have resided in the property with my spouse who is also a Joint Owner.
- \_\_\_\_\_ d. I have resided in the property with my spouse and that my spouse and I have now moved to a different family home.
- \_\_\_\_\_ e. I have resided in the property with another person or persons, none of whom are a spouse as defined in the *Family Law Act*.
- \_\_\_\_\_ f. That I do not currently have a spouse and have not been married to, or cohabited with, a spouse during the past three years.

\_\_\_\_\_ 4a. That I currently have a spouse and my spouse's consent will be provided.

\_\_\_\_\_ 4b. That I have had a spouse during the past 3 years and we occupied the property as a family home at the date of separation. A spouse's consent will be provided.

\_\_\_\_\_ 4c. That my spouse has released all rights to this property under a Domestic Contract dated \_\_\_\_\_ and attached as Exhibit "A" to this Statement.

\_\_\_\_\_ 4d. That I have a Court Order dated \_\_\_\_\_ releasing the property from the application of the Act, attached as Exhibit "A" to this Statement.

\_\_\_\_\_ 5. That I have more than one spouse as defined in the Act.

AND I MAKE THIS STATEMENT conscientiously believing it to be true.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness \_\_\_\_\_ Client \_\_\_\_\_

Please print name and address of witness below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_