

# Does Alimony Stop When You Start Living With Someone

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Alimony (spousal support) is a payment ordered by the court from an ex-spouse for the financial support of the other during and after the process of a divorce. The judge determines whether alimony should be ordered, the amount, payment frequency, and length of time the support will continue. There is usually a termination of alimony when the recipient remarries, though not in all cases. But, what about cohabitation? Does alimony end if the alimony recipient is cohabitating with someone?

Consult with an experienced Utah divorce lawyer for details on possibilities for stopping alimony when an ex-spouse is cohabitating with a new partner.

## What is Legally Considered “Cohabiting”?

The *legal* definition of cohabitation can vary from one state to another. Those states that do not assert a definition accept that cohabitation is occurring while an unmarried couple is occupying a home together, sharing expenses, and otherwise living in a relationship that is like a marriage.

## Can I Stop Alimony If My Ex is Cohabiting with Someone?

The majority of states set forth clear directives for termination of alimony upon *remarriage* of the ex-spouse who has been receiving it. But, what is your legal obligation regarding alimony payments, if your ex-spouse is living with someone in a relationship

*without being remarried?* The answer is that whether or not the court may terminate the alimony requirement depends on which state you live in and the particular situation in your case.

In the majority of states, a judge *will* terminate alimony or *reduce the payment amount*, if the recipient's need for the support is significantly less due to cohabitating. In other words, if your ex-spouse is cohabitating, but his or her new partner is not causing a significant improvement in your ex's financial condition, it is unlikely that the judge will discontinue the court-ordered alimony payments.

Some states do terminate alimony, even when the recipient's financial status is *not* improved by cohabitating with a new partner. Other factors that states may weigh in determining the appropriateness of terminating alimony have reportedly been known to include, for example:

- How long the couple has been cohabitating.
- How much time the cohabitating couple spends together.
- What kinds of activities the couple engages in together.
- How integrated their personal affairs are.
- Whether the couple shares meals together.
- Whether they spend holidays together.
- Whether they share vacations together.

Courts in some states may terminate spousal support after weighing various factors in a couple's circumstance which combined would amount to cohabitation. For example, a judge may consider whether the pair live together, the nature of their relationship, and their financial situation together.

## **In States Without Laws On Alimony During Cohabitation**

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In states where there are no laws or previous orders by judges that specify how cohabitation might affect alimony, it is not clear how a court will decide this matter. If an agreement has been made between ex-spouses that alimony will continue regardless of whether the receiving ex-spouse is cohabitating or not, courts will uphold it.

In Utah, to ensure that all your rights are fully protected, you will need to consult with a Salt Lake City divorce lawyer who is well experienced in cases involving Utah alimony laws.

## **Attorney David Pedrazas, Salt Lake City Utah**

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For over 20 years, David Pedrazas has been helping people in Salt Lake City and the greater Salt Lake area through the difficult experience of divorce, so they can move toward happier years ahead. His goal is to educate his clients to help them make informed choices that will build a better future beyond divorce.

For his outstanding record, David Pedrazas has been recognized as one of Salt Lake City's best divorce lawyers by the American Institute of Family Law, the National Academy of Family Law Association, and the American Academy of Trial Attorneys.

To protect your rights and obtain the very best legal solution to divorce or alimony issues, call the Law Office of David Pedrazas, PLLC, Salt Lake City UT, or use our online form to request contact.