

**Baldwin v Belcher 31/7/02, John Hansen J, HC Christchurch CP105/01**

Successful application for equal division of relationship property - plaintiff ("P") claimed she had made sufficient contributions to the de facto relationship to justify an award of half the property - P claimed she had made significant contributions to defendant's ("D") business - P claimed she and D had purchased land as joint tenants with the common intention to build a home for both to live - P submitted that she helped with the building of the house in a way a labourer would have - D claimed the land was only purchased in both names to assist with P's immigration status - D submitted he had supplied the finance for the purchase of the property - D argued that P's contributions to the business were minimal - D did not accept the building of the house was a combined effort and claimed P exaggerated her contributions - D claimed P simply cooked for herself and shared the housework equally with him, therefore her contributions to the relationship were minimal.

Held, it is not accepted the joint tenancy only arose to assist with P's immigration status - on the title the property is owned jointly and there is no doubt the parties bought the section with this intention - the Court will consider contributions to the relationship in the event the decision on joint ownership is wrong - P carried out work in the business and on the construction of the home that the Court would not normally expect of a woman - P's contribution to the relationship was at least equal with D's or possibly even greater - for D to be successful he must rebut the presumption of common intention for equal sharing and in this case he has not - application granted.