

Info Sheet

HOW TO PROVE YOUR
SPOUSAL RELATIONSHIP

JANUARY 2017

How to prove your spousal relationship

To determine your spouse's eligibility to receive survivor benefits, OPTrust needs the following documentation as confirmation of your spousal relationship when one of these events occur (i.e. you are no longer contributing to the Plan):

- termination
- retirement
- divestment, or
- transfer.

Please note: to confirm a common-law relationship, any proof you provide must clearly demonstrate that there has been an ongoing and continuous conjugal relationship for at least **the past three years**. OPTrust will make the final determination of whether the relationship satisfies the common-law criteria as outlined.

Note: if the common-law couple are the natural or adoptive parents of a child or children, OPTrust requires proof that there is a relationship of permanence, not necessarily of three years or more.

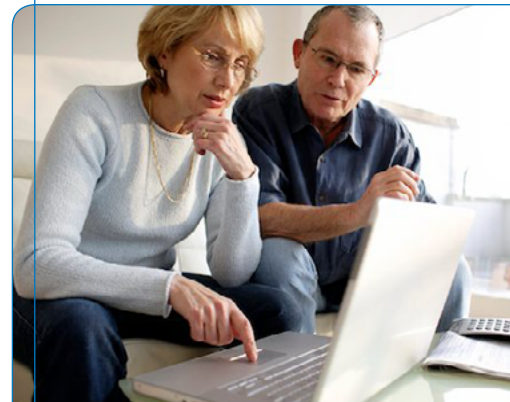
MARRIED SPOUSES

- Statement of Marital Status (previously *Statement of Spousal Relationship*) (OPTrust3007)
and
- copy of certificate of marriage
and
- a certified copy of any domestic contracts, court orders or family arbitration awards for any previous relationships that have an impact on the accrued pension entitlement must be submitted to OPTrust

COMMON LAW:

- Statement of Marital Status (previously *Statement of Spousal Relationship*) (OPTrust3007)
and
- any **three (3)** pieces of the following documentary evidence under a) to n) on the following page, **dated three years prior to your Plan termination date or end of membership**
- a certified copy of any domestic contracts, court orders or family arbitration awards for any previous relationships that have an impact on the accrued pension entitlement must be submitted to OPTrust

Information Sheets contain in-depth information on select topics for members and pensioners of OPTrust.



To update your marital status, use the [form](#) available at optrust.com.

- a) copy of birth certificates or formal adoption papers for children of the member and the spouse
- b) supporting sworn affidavits of a third party who knows the spouse and the member during the period that they have lived together as spouses. A sworn affidavit is a legal document signed by the third party and sworn before a Commissioner of Oaths (e.g. lawyer, judge). Each sworn affidavit must state:
 - i. how long the third party has known the spouse and the member
 - ii. the period or periods of cohabitation, including any period of separation
 - iii. any other knowledge and belief the person has that the individuals live together as spouse
- c) a sworn affidavit from an immediate relative of the member providing the same information as the above affidavit
- d) copies of deeds or leases showing any jointly held or leased property or liabilities (i.e. mortgages, bank accounts, etc.)
- e) any evidence that the spouse and the member have named each other as a beneficiary of RRSPs, life insurance policies, insured benefits coverage, pensions or other investment
- f) a copy of the member's Will
- g) previously submitted *Statement of Spousal Relationship* (OPTrust3007)
- h) copies of the previous three years' income tax returns of the member and the spouse
- i) copies of property tax bills or leases covering the previous three years indicating the names of the common-law couple as joint owners
- j) newspaper and social announcements which may identify the individuals as common-law spouses
- k) Christmas or other festive greeting cards, social invitations and any other similar material indicating a public perception of a common-law relationship
- l) credit card statements showing a mailing address that is consistent for both parties going back at least three years. These documents would attest to the fact that the individuals in question have been living together at the same address for at least three years
- m) copies of utility bills that have been mailed to the same address for the two individuals for at least three years, and
- n) any other documentary or supporting evidence an individual could forward which would confirm a common-law relationship (i.e. letter from organizations addressed to the two individuals as a couple going back at least three years, etc.



OPSEU Pension Trust Fiducie du régime de retraite du SEFPO

HOW TO REACH US

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