



# Statutory declaration of common-law relationship

Use this form to provide information and support your claim for OMERS survivor benefits as an eligible common-law spouse, in the event of the death of an OMERS Plan member.

Providing OMERS with your personal information is considered consent for its use and disclosure for the purposes set out in our Privacy Statement, as amended from time to time. You can find out more about our collection, use, disclosure and retention of personal information by reviewing our Privacy Statement at [www.omers.com](http://www.omers.com).

**Note:** Section 4 is to be signed in the presence of a Commissioner of Oaths. Section 5 is for the Commissioner of Oaths to complete and sign.

Mail the completed form and supporting documents (see Notes on page 3) to the address below. **Do not fax.**

## SECTION 1 - DECEASED MEMBER'S INFORMATION - to be completed by the common-law spouse (claimant)

OMERS Membership Number*			Date of Death (m/d/y)		
<input type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. <input type="radio"/> Other:	First Name	Middle Name	Last Name		

\*The membership number appears on the Pension Report or any personalized statement from OMERS.

## SECTION 2 - CLAIMANT'S INFORMATION - to be completed by the common-law spouse (claimant)

<input type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Ms. <input type="radio"/> Other:	First Name	Middle Name	Last Name		
Apt/Unit	Address	City	Province	Postal Code	

## SECTION 3 - COMMON-LAW RELATIONSHIP INFORMATION - to be completed by the common-law spouse (claimant)

### Common-law spouse

OMERS considers a common-law spouse to be a person who is not married to the member but is living together in a conjugal relationship:

- continuously for a period of not less than three years; or
- in a relationship of some permanence, if they are the parents of a child as set out in section 4 of the *Children's Law Reform Act*.

When did you begin living in the same residence with the member as a common-law couple? Date (m/d/y)

Did the relationship continue until the member's death?    Yes    No

Were there any breaks or gaps in the relationship?

No    Yes - please indicate the dates:

From (m/d/y)	To (m/d/y)	Reason
From (m/d/y)	To (m/d/y)	Reason

Were you living together as a common-law couple – i.e., presented each other as spouses to others, ate meals together, socialized as a couple, shared expenses (bills or mortgage payments), etc.?    Yes    No

Was the relationship exclusive?    Yes    No

Are there natural or adopted children of the common-law union?

If yes, please provide each child's name and date of birth. Attach a separate sheet if necessary.

Yes    No

Child's Name	Date of Birth (m/d/y)
Child's Name	Date of Birth (m/d/y)

To your knowledge, did the deceased member ever have a spouse other than you?

Yes  No

Name of the deceased member's former spouse

Status of the member's relationship with this former spouse (i.e., separated, divorced, widowed)

Year of separation, divorce or widowhood

**SECTION 4 - CLAIMANT'S DECLARATION - to be completed by the common-law spouse (claimant) in the presence of a Commissioner of Oaths\***

Please read carefully before signing this declaration in the presence of a Commissioner of Oaths.\*

I, \_\_\_\_\_ of \_\_\_\_\_ in the Province of Ontario,  
Name Name of City

MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath by virtue of the *Canada Evidence Act*. I understand that OMERS reserves the right to request that I provide additional information to prove my common-law spouse status.

\_\_\_\_\_  
Claimant's Signature

\_\_\_\_\_  
Date (m/d/y)

**SECTION 5 - TO BE COMPLETED BY THE COMMISSIONER OF OATHS\***

Declared before me at \_\_\_\_\_ country of \_\_\_\_\_ in the province or territory of  
Name of City, Town or Village Country

\_\_\_\_\_. Dated this \_\_\_\_\_ day of \_\_\_\_\_,  
Province or Territory Day Month Year

\_\_\_\_\_  
Name of Commissioner of Oaths

\_\_\_\_\_  
Signature of Commissioner of Oaths

Municipal Official: please provide the office you currently hold and the municipality:

\_\_\_\_\_  
Office

\_\_\_\_\_  
Municipality

Lawyer or judge: please provide your Law Society number:

\_\_\_\_\_  
Law Society Number

\_\_\_\_\_  
Please affix seal/stamp here  
if applicable

\*A Commissioner of Oaths can be:

- a lawyer entitled to practice law in Ontario;
- a judge or justice of the peace;
- a Notary Public;
- certain municipal officials (such as a City Clerk); or
- a person appointed as a Commissioner by the Attorney General.

**Supporting documents**

OMERS requires that you submit supporting documents with the statutory declaration that help to prove the common-law relationship continued for at least three consecutive years (or for a shorter time if there are natural or adopted children of the relationship).

**If the member's death occurred before retirement\*\*:** Provide proof that you were living as a common-law couple for each of the three consecutive years up to the member's date of death.

**If the member's death occurred after retirement\*\*:** Provide proof that you were living as a common-law couple for each of the three consecutive years up to the member's date of retirement.\*\* Or, if there was no spouse at the member's date of retirement, provide proof that you were living as a common-law couple for each of the three consecutive years up to the member's date of death. If the member had a spouse other than you at their date of retirement, please contact OMERS Client Services.

\*\***Retirement** is the pension start date, i.e., the date that the payment of the first instalment of the member's pension is due according to the terms of the OMERS Primary Pension Plan.

**Primary documents (include at least one clear indicator for each of the three consecutive years; more are preferred)**

- Bank statement from an active joint account
- Joint lease, mortgage or home purchase or ownership agreement for the shared residence
- Property tax statement in both names
- The member's last will and testament where they name you as spouse or beneficiary
- Insurance policies (life, home, property, car)
- Household bills (hydro, water, gas, cable, etc.) in both names, or in each name for the same address

**Secondary documents (include at least one from this list)**

- Affidavits and letters from family, friends, and professional advisers (lawyer, doctor, etc.) confirming the common-law relationship and the applicable dates
- Income tax returns naming each other as spouses
- Newspaper/social announcements
- Cemetery/funeral home invoice
- Published death notice
- Health benefits statement (e.g., employer benefits)
- Other documents that can help verify the claim (**Note:** OMERS cannot accept photos, videos, greeting cards, etc. as supporting documents.)