

CANADA / JUDGMENT

Hamilton v. Popp

2014 BCSC 1202

COURT

Supreme Court of British Columbia

DECIDED

30 June 2014

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2014 BCSC 1202 Hamilton v. Popp IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: Hamilton v. Popp, 2014 BCSC 1202 Date: 20140630 Docket: E010390 Registry: Vancouver Between: Sarah Marianne Hamilton Claimant And Rolf Popp Respondent Before: The Honourable Mr. Justice G.P. Weatherill Supplemental Reasons for Judgment Counsel for Claimant: P. Rowlands Counsel for Respondent: R. Davidson Place and Date of Hearing: New Westminster, B.C. February 25, 2014 March 10, 2014 Place and Date of Judgment: Vancouver, B.C. June 30, 2014

- [1] These are supplemental reasons to my March 25, 2014 decision (2014 BCSC 506) in this family law proceeding.
- [2] The parties have made a joint submission requesting that I clarify two issues from my March 25, 2014 reasons. A. Issue 1 - Does the respondent owe the claimant \$2,000 as a contribution towards the claimant's trip to Nova Scotia with Nicholas in August/September 2013 to assist him in starting university?
- [3] I intended that the respondent contribute \$2,000 towards the claimant's travel expenses for the August/September 2013 Nova Scotia trip. I found at para. 88 of my reasons that it was reasonable for the claimant to travel with Nicholas, who was then age 18, to Nova Scotia to ensure he was properly set up to commence first year university and that the respondent should contribute to that expense. I found the respondent's should contribute \$2,000 to those expenses.
- [4] Counsel pointed out that the total s. 7 expenses the claimant claimed was \$11,636.53. In my reasons I failed to account that \$4,607.75 of that amount related to the claimant's August/September 2013 trip, and, according to my understanding of the parties' positions, \$4,607.75 was already factored into the respondent's contribution to s. 7 expenses. At para. 66 of my reasons, I ordered that neither party currently owes the other for s. 7 expenses.
- [5] So in answer to issue number one, the respondent share of the claimant's travel expenses for the August/September 2013 trip to Nova Scotia was already accounted for; therefore, the respondent does not owe the claimant a further \$2,000. B. Issue 2 - The parties seek clarification of the order at paragraph 94 of the reasons that Mr. Popp pay child support and when the order takes effect?

- [6] I ordered that that the respondent pay child support of (1) \$500 per month when Nicholas is away at university and (2) \$1,000 per month when Nicholas is not at university and staying with the claimant for his summer break from attending university during May, June, July, and August. I ordered that the \$500 per month payments commence September 1, 2014 when Nicholas is away at university.
- [7] I intended that the \$500 a month payments commence for Nicholas's second year of university, namely September 1, 2014, and that the Rogers J. order requiring the respondent to pay \$1,100 would continue for the balance of Nicholas's first year, including April 2014. And then, per para. 94 of my original reasons, commencing May 1, 2014, the respondent shall pay the claimant \$1,000 a month for child support from May to August, inclusive. "G.P. Weatherill J."

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