CITATION: Lafazanidis v. Lafazanidis, 2019 ONSC 3108
COURT FILE NO.: FS-09-00352671-02
DATE: 20190523

ONTARIO

SUPERIOR COURT OF JUSTICE

BETWEEN:	)	
	)	
Theodora Lafazanidis	)	Sage Harvey, for the Applicant
	)	
Applicant	)	
	)	
– and –	)	
	)	
Konstantinos Lafazanidis	)	Jacqueline Mills, for the Respondent
	)	
Respondent	)	
	)	
	)	
	)	
	)	**HEARD:** April 15 and 16, 2019 and on Written Submissions

MOORE, J.

[1] The parties came before this court for a nine day trial in 2014 which lead to the May 29, 2014 decision and final order of Mesbur J determining issues including parenting, child support, sharing of s.7 expenses, spousal support and imputing income for support purposes.

[2] No appeal was taken from that final order.

[3] On September 7, 2018 the respondent filed a Motion to Change the final order requesting an order that the order for spousal support be terminated effective September 1, 2018. In his affidavit filed in support of the Motion to Change, the respondent noted that Justice Mesbur had imputed income to him for support purposes in the amount of $100,000 per year but his annual income as of September 2018 was only $55,000. He added that Justice Mesbur ordered child support in the amount of $577 per month and spousal support in the amount of $1,640 per month, there are no arrears of support and that he has been paying spousal support for longer than the parties had been married.

[4] The respondent swore that his work in the pool maintenance field is physically demanding, he has fewer customers than he had previously and that he has health problems that inhibit his ability to continue working at the pace he had done in the past.

[5] He swore that the applicant was employed at the time of trial earning $35,000 per year but has been unemployed for about three years and he believes that she could be totally self-sufficient by September 2018, if she had continued to work.

[6] The essence of the respondent's position is that there has been a material change in circumstances since the issuance of the Mesbur J. order. The applicant disagrees with the respondent's position and seeks orders dismissing the motion to change, for sole custody of the child of the marriage, Demetrios Giorgios Lafazanidis (Demetri), born April 3, 2005, for access of the respondent to Demetri to be at Demetri's discretion, ending the requirement of the applicant providing three times weekly updates to the respondent about Demetri's status and progress, allowing the applicant to apply for passports and other government documents for Demetri and for Demetri to travel without consent of the respondent and an order requiring the respondent to pay the applicant $1,190 with respect to reconciliation therapy.

[7] Undisputed is the fact that Demetri has been living exclusively with the applicant since February 2018 and has had no contact with his father since June 21, 2018.

[8] The respondent does not dispute that he needs to pay child support reflecting Demetri's change of residence; his concern focusses on the amount of child support owing and the level of his income for such support.

[9] The respondent has agreed that the applicant shall make all parenting decisions regarding Demetri and that he will not exercise access to Demetri except if Demetri requests such access.

[10] The applicant submits that there is no change in her financial circumstances other than that she needs spousal support more than she did at the time of the trial in 2014 but if the court does impute an income to her for spousal support purposes, it should be no higher than $35,000 per year, the level of income she was earning in 2014.

Income and Support

[11] The starting point for my consideration of the respondent's income for support purposes is the Mesbur J. decision of May 29, 2014. The respondent testified at that trial that his annual income should be as shown on his yearly income tax returns, notwithstanding that his expert business valuator disagreed with him.

[12] He had retained Martin Pont to prepare a report setting out an opinion on the respondent's adjusted income for support purposes. The expert reported that the respondent's adjusted income for 2007 was really $72,000 instead of his line 150 income of $55,654. The

expert put the respondent's 2008 income at $97,000 instead of his line 150 income of $75,016. And the adjusted 2009 income was $85,000 instead of his line 150 income of $55,936.[1]

[13] Mesbur J. observed that the expert did not update his calculations for the years 2010 to 2013; she therefore applied the expert's methodology to determine the respondent's adjusted income for those years. She rejected the respondent's submission that his business income had gone down because of his increasing age and found there was absolutely no evidence to suggest that he was unable to earn income at the same level as he had in the past.[2]

[14] Mesbur J. concluded that the respondent's income for support purposes was $85,000 in 2011, $91,000 in 2012 and $101,000 in 2013 and since there was no compelling evidence to the contrary, she assumed his 2014 income would be in the same range and she therefore fixed his income for support purposes at $100,000 and added that even if she had made errors in her calculations that might result in lower income figures for the respondent, she would decline to adjust them downwards, since she was absolutely persuaded that the respondent had sufficient cash coming in from gambling and/or unreported income to make these income figures more than reasonable.[3]

[15] In reaching her conclusion on income for support purposes, Mesbur J. rejected the respondent's testimony that he did not earn cash income from his pool maintenance business. He had denied any cash sales in his business and asserted he had never failed to declare all of his income.[4] But as to the respondent having cash income, Mesbur J. commented that both the applicant and her brother testified that the respondent often spoke about how he did not have to declare all his income. The respondent alleged that he never discussed anything to do with his business with his wife or her family but Her Honour wrote: "I do not believe it."[5]

[16] Returning now to the evidence at trial on the Motion to Change, the respondent again insisted that he does not receive cash payments in his business but he did not fully produce his business books and records, the source contracts and customer billings and payment receipts. He produced unaudited business tax returns, balance sheets and statements of annual business earnings and retained earnings together with Notices to Reader confirming that his accountants compiled these documents solely on the basis of information provided by the respondent and there is nothing in the accountant's materials produced at this trial to suggest that the source documents sought by the applicant were ever produced to the accountants..

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[1] May, 29, 2014 Decision of Mesbur J. at para 184
[2] *Supra*, at para 188
[3] *Supra*, at para 189
[4] *Supra*, at para 10
[5] *Supra*, at para 13

[17] Despite the applicant's repeated demands for disclosure of source documents, he produced no receipts for business expenses he claimed, thereby defeating any attempt to test expense claims for reasonableness. The respondent bears the onus of demonstrating his net income from his business and failure to adduce appropriate documentation can, as is the case here, lead to an adverse inference being drawn against him.[6] I must conclude that the missing productions would not favour the respondent's claimed incomes for support purposes in the interval between 2014 and 2018.

[18] The respondent did not produce an expert report in the Motion to Change proceedings attesting to appropriate, documented, adjusted annual incomes for support purposes.

[19] The respondent's latest filed line 150 income is $55,176 for 2017; his draft return for 2018 shows line 150 income of $57,359. He claimed an income of $55,000 in the previous trial. His income since has consistently been above $50,000. Even on the basis of his personal tax returns, he has not established a material change in his financial circumstances. And there is no evidence demonstrated through the respondent's business and personal accounts of a decline in annual deposits of money or increasing expenses since the time of the 2014 trial.

[20] Moreover, the respondent's lifestyle cannot be considered consistent with his claimed level of income; for example, he chose to travel to Las Vegas three times in 2018. He travelled as well to France and to Calgary during that year. His travel and claimed living expenses cannot be reconciled with an annual income of $55,000.

[21] He told a bizarre story about a planned trip to Ireland. In earlier costs submissions, he appended a receipt for $4,664.84 and stated that the trip had to be aborted and the entire cost was forfeited. On this trial he had to admit that he did not personally pay the money that the receipt described; rather a friend of his girlfriend paid the invoice, apparently because she owed the girlfriend money. It was a convoluted and incredible tale not supported by any documents or evidence from the girlfriend or her money borrowing un-named friend.

[22] And it is important to note that this motion is not an appeal from the Mesbur J. trial decision; I must accept the correctness of that decision.[7]

[23] I found the respondent to have been an evasive witness and aggressive during his cross examination, including in his insistence on answering questions with questions aimed back at counsel in a blatant attempt to control the pace and direction of the cross-examination. Where his evidence differs from that of the applicant, I prefer hers.

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[6] *Wilson v. Wilson*, 2011 ONCJ 103 at para 22
[7] *Willick v. Willick*, [1994] 3 S.C.R. 670 at para 18; and, *Haworth v Haworth*, 2018 ONCA 1055 at para 19

[24] He bears the onus, but has not made out a case, to vary the level of income imputed to him in the Mesbur J. decision.

Health Concerns

[25] As he attempted to do in the 2014 trial, the respondent testified that his health is in decline and his ability to earn income at the levels he could in the past has been jeopardized. He cites this as further evidence of a material change of circumstances warranting imputation of a lower level of income for support purposes going forward.

[26] He testified that he has diabetes and foot neuropathy and that recently he has developed pain in his right hand and arm which affects its strength and agility. He stated that his diabetes diagnosis came about 10 years ago [well before the 2014 trial] but when asked about when he was diagnosed with high blood pressure and/or high cholesterol, he said he does not recall. He confirmed that he has not attended for hospital treatment or emergency care in the past five years.

[27] He said that he is slowing down and that at times during the day he will just sit in his van because of pain or because he is just tired.

[28] He explained that his job is quite physical, including lifting of water pumps and heavy bags of chemicals.

[29] He called Dr. Koffman to testify about his health concerns. She is a family physician and the medical director of the Earl Bales Walk-In Clinic.

[30] The respondent first attended upon Dr. Kauffman on May 25, 2014. He had had another doctor prior to that time and he became a regular patient of Dr. Koffman about a year later.

[31] Dr. Koffman is particularly concerned about his complaints of peripheral neuropathy involving his feet and hands. In addition, her history contained references to sleep loss, stress, lack of energy and feeling down at times. At the outset she also felt that he presented with andropause, a diagnosis with many symptoms similar to those seen in female menopause. In addition he complained of back pains.

[32] His medications address neurologic pain control, cholesterol control, kidney and heart remodelling, a steroid for andropause [the medication, she added, has side effects which can include loss of bone mass] and low B12 which can lead to neurologic problems.

[33] Dr. Koffman's prognosis is guarded overall due to the diabetes problem. She added that he is not responding well to treatment at this point, and hence her referral for him to an endocrinologist. In addition, she has also referred him to a neurologist and for sleep testing.

[34] She added that the less stress that he is under the better and she recommended lifestyle changes including diet, exercise and not attempting all of the laborious work that she assumes he is doing now.

[35] She said that it is difficult to know if Mr. Lafazanidis is following her lifestyle recommendations but she has not noticed any change in his weight which, she said, seems to suggest that he is not following her advice.

[36] Overall, the medical picture is neither complete nor compelling for the respondent on the issue of material change of circumstances since the May 2014 decision. The respondent had a diagnosis of diabetes years before the May 2014 decision and may well have had others of the many medical concerns he and Dr. Koffman spoke of at this trial for many years as well. Regardless, he has continued to work and earn significant incomes over the years and up to the present time.

[37] In *Haworth*,[8] the Court of Appeal varied an order for the payment of spousal support following upon a material change of circumstances brought about by the retirement of the payor and consequent significant diminution of the payor's annual income for support purposes. That case is however not this case. As his retirement approached, the payor provided the recipient with notice that he would eventually seek to have the spousal support terminated and, following retirement, he did just that.[9] The court observed that given the payor's age was 72 when he retired, that was not a situation where the payor spouse took an early retirement to avoid support obligations.[10] The court concluded that the payor's post retirement substantial decrease in annual income does meet the threshold for variation and it would not have been possible for the parties, or the judge making the original order, to know what the respondent's financial circumstances would have been at retirement some 25 years later.[11] A variation order reducing spousal support therefore issued.

[38] In the instant case, the respondent has not retired and the evidence does not establish whether or when he will; moreover, there is no evidence of what his income in retirement may be.

[39] There is no correlation between his health concerns and his income earning potential yet. It is his onus to marshal the evidence necessary to make out a material change. He has failed to do so. Whether one or more of the specialists Dr. Koffman has referred him to can assist the respondent and the court on this issue remains to be seen. I cannot speculate on what the future may hold.

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[8] *Supra*
[9] *Ibid*, at para 10
[10] *Ibid*, at para 12
[11] *Ibid*, at para 14

Imputing Income to the Respondent

[40] The applicant submits that an order can be made to impute income to the respondent of significantly more than that imputed by Mesbur J. of $100,000 per year. The applicant notes that, putting aside her concerns that the claimed business expenses are unproven, if the expenses claimed are set off against the total of deposits into the respondent's business and personal accounts in 2018, of $294,136.08, an income imputation of up to $200,000 could easily be supported.

[41] Such an analysis overlooks the fact that the respondent has enjoyed winnings, notably from betting on football games that he estimates to total about $40,000 over the past three years. To the extent that such winnings were part of bank deposits, they do not comprise income for income tax or child support purposes. Similarly, money generated from the sale of coins gifted to the respondent by his mother is not income. Nor is money[12] generated from the sale of personal belongings to the respondent's friend, Rocco Basta and the money Mr. Basta provided to the respondent for the purchase of antiquities while the respondent was in Las Vegas income for support purposes.

[42] In his bank statements, there is an October 2018 entry of $50,000 which is money received from an unnamed friend. He explained that he had been talking to that friend about possibly opening a retail pool store and if he goes forward with that venture, this money will help fund the store; if he does not go forward to open a store, he will pay the money back to his friend. He said that rents are high in the neighbourhood he services and a pool store would only be open for about six months of the year whereas he would be paying rent on an annual basis and so it is not likely that he will go forward with the project. Whether this money is a loan or money held in trust is unclear but I cannot find that it represents income from the respondent's business.

[43] I am therefore not persuaded that the order of Mesbur J. can be varied such that a higher level of income should be imputed on the basis submitted by the applicant. I shall not change the amount of income that Mesbur J. imputed to the respondent, that being $100,000 per year.

Child Support

[44] On May 29, 2014, Mesbur J ordered that, commencing June 1, 2014, the respondent must pay the applicant set off table support of $577 per month, based on the applicant's income of $35,000 per year and the respondent's imputed income of $100,000 per year.

[45] The parties shared parenting time equally from June 2014 through until February 2018 when Demetri began living full time with the applicant. Hence, the applicant seeks to vary the above order for set off child support.

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[12] $25,000

[46] Commencing March 1, 2018 and ongoing, the respondent must pay child support without set off. Based on his imputed income of $100,000 per year, the respondent must pay the applicant child support of $910 per month.

Spousal Support

[47] Mesbur J. found that before the separation, the applicant had not worked outside the home for wages during the marriage and had never worked in Canada and, thus, had been out of the work force for about eight years. Her Honour awarded spousal support on both compensatory and needs bases at the high end of the SSAG range, in the sum of $1,640 per month.

[48] The respondent bears the onus of establishing a material change of circumstances since the court ordered spousal support payments in order to justify a variation of that order and the change in circumstances must be material in that if it was known at the time the order was made, it would have resulted in different terms[13]. The respondent has not satisfied the onus upon him and has established no circumstances that if known in May of 2014 would have resulted in different terms.

[49] The respondent submits that the applicant has no entitlement to compensatory spousal support; she did not sacrifice her career for her husband and she voluntarily and against his wishes did not work for four years before Demetri was born.

[50] I reject the respondent's position in part because Mesbur J. specifically found an entitlement to spousal support on a compensatory basis[14] but also because I accept the applicant's evidence that the parties mutually agreed to her not working outside the home during the marriage.

[51] The respondent submits that he should now be relieved of any ongoing obligation to pay spousal support because he has paid support for a period longer than the length of the marriage. I reject his position as Mesbur J. awarded support for an indefinite time period and made no provision in her order that spousal support be reviewed.

[52] Again I point out that the order was not appealed and I cannot entertain an attack on its correctness.

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[13] *LMP v. LS*, [2011] 3 S.C.R. 775 at paras 31 and 33

[14] And as noted above, this Motion to Change is not an appeal from the Mesbur J. decision

[53] Further, I accept the applicant's position in law that the passage of time during which support has been paid does not amount to a material change in circumstances for the purpose of varying spousal support[15]

[54] The respondent submits that the applicant should lose any entitlement to spousal support because she did not adequately search for, find and keep employment after being laid off in 2016.

[55] At the time of the trial decision, 27 May 2014, the applicant was working for Mevotech, an automobile service company, doing customer service work and earning $35,000 per year in salary. That job ended in November 2014.

[56] She then worked for Nucap Industries from December 2014 until the end of July in 2016 in a customer relations job earning $36,000 per year [increased to $37,000 per year at the time she was laid off]. The company was downsizing in 2016 and there was not enough work for all employees; hence she was laid off.

[57] She then sent out resumes to customer service and food industry organizations and companies seeking human resources related work. She produced 118 job applications.

[58] She attended for five interviews plus telephone interviews.

[59] She received two offers but neither permitted of her picking up Demetri from school or even following daycare after school by 5:00 PM and they were minimum-wage jobs. In addition, one of the jobs involved working in Oakville and that was simply too far for her to travel. She turned down another because she would be required to close a warehouse at midnight for a business that had no other female employees.

[60] She continued her job hunt despite suffering a viral infection in her ear after visiting her parents in Utah early in 2017. Her eardrum exploded and she was on unemployment insurance and then on disability coverage.

[61] During cross examination, she was taken extensively through the job search and job application documents. In connection with job postings seeking bilingual candidates, she was asked to agree that she is not bilingual but she answered that indeed she is, in Greek and English. Counsel suggested that in Canada using the term bilingual must mean French and English. The applicant disagreed saying that Air Canada, one of the places she applied to work, flies to Greece and, in any event, whether she is bilingual in any given language or not, the jobs she applied for were customer service jobs, not unlike the jobs she held in Utah where she lived before the

[15] *Rondeau v. Rondeau*, 2011 NSCA 5 at para 14, followed in *Hess v. Hamilton*, 2018 ONSC 661 at para 100

marriage, and if they were not filled by somebody who is bilingual, the potential employer might well consider her.

[62] She applied for a job with AMEX and pointed out that she had worked for Discover Card in the United States.

[63] She applied for work with Selloff Vacations despite not being fluent in French because she worked for Southwest Airlines in the past.

[64] Overall in this area, the applicant comported herself well and responded reasonably to questioning. She fairly pointed out that her many applications demonstrate her intent to try to obtain some kind of job that her training and experience might qualify her for. Not to apply for these jobs simply made it less likely that she would ever find a job with reasonable hours, working conditions and paying more than minimum wage.

[65] I accept and value the applicant's evidence regarding her efforts to obtain employment following her job loss in mid-2016 and find that she acted reasonably and made good faith efforts to find alternate employment.

[66] Given her age, lack of significant work experience in Canada and her approximately eight years out of the job market, for the betterment of her husband and child, it is understandable that she was unable to find suitable employment opportunities despite her vigilant searches. It is both understandable and reasonable that in 2017 she chose to embark upon a career as an artist. When life handed her lemons she chose to make lemonade.

[67] Through a friend, she sold a piece of her hobby art on an open call and thereafter started to sell her artwork in 2017.

[68] In this area of examination, she produced her current inventory as of December 2018 and explained that she markets her art on her webpage, through Instagram, artists' groups, in galleries and shows and has taken out Facebook advertising. In addition, she attaches her business card to the back of all of the paintings that she sells and she has left information about her work in galleries.

[69] She produced a snapshot of the home page of her website showing her available abstract drawings, hand-painted memorial rocks, samples of her photography for sale, small hand-painted river rocks, hand-painted ornaments and of burnt in designs on wood ornaments.

[70] She produced a screenshot of her gallery on her website including abstracts, portraits of individuals, animals, horses, owls, cats, flowers and landscapes.

[71] She is associated with groups of esteemed artists through which she networks her talent and tries to grow her business.

[72] In addition to her art work, she is currently involved in training to take Pizza Hut orders, toward a job that is guaranteed after training is completed and will allow her to have time to paint as well. The job will pay between $12 and $13 USD. She hopes to be able to work between 15 and 25 hours per week.

[73] The applicant has been unemployed since July 2016 and has earned almost no income from her business as an artist in and after 2017 but she has demonstrated that she acted reasonably toward becoming financially self-sufficient, one factor to be taken into account in any analysis of entitlement to spousal support[16] and she did not breach the spirit or letter of the terms of the Mesbur J. order of May 29, 2014.

[74] From the applicant's 2017 T1 General, I find that the applicant's line 150 income was $32,359. According to the applicant's Financial Statement of January 22, 2019, her income in 2018 was $24,966. She projected income of the same amount for 2019 although she is optimistic in her belief that she can grow her income from her work as an artist augmented by her proposed part time employment to achieve an annual income in 2019 and following years of $35,000. I accept the applicant's evidence and order that the income imputed to the applicant by Mesbur J. of $35,000 remain unchanged and the spousal support set off calculation be based on the respondent's imputed income of $100,000 and the applicant's imputed income of $35,000.

Reunification Therapy

[75] As is noted above, the respondent has had no contact with Demetri since June 21, 2018. That was the day upon which the respondent arbitrarily withdrew from reconciliation counselling with Demetri and the social worker, Howard Hurwitz.

[76] By June of 2018 the father/son relationship had become strained to the point of collapse. The parties each supported the concept of reconciliation counselling and had agreed to share the cost of counselling on a 50/50 basis.[17] I accept the applicant's evidence that she still supports the wisdom of counselling for Demetri with Mr. Hurwitz but since the respondent threatened Mr. Hurwitz with reporting him to his professional governance body for misconduct, Mr. Hurwitz has declined to continue counselling Demetri.

[77] The respondent testified that the father/son relationship broke down because the applicant interfered in it. He insists that it was her goal to get him out of his son's life. He shouldered no part of any cause for the relationship breakdown.

[78] The applicant confirmed that she signed the Family Therapy Agreement for Mr. Hurwitz and supported the joint therapy sessions with father and son and the single sessions between Mr.

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[16] Ibid, at para 59; *Remillard v. Remillard*, 2014 MBCA 101 at paras 107-8
[17] This counselling had been ordered by Kiteley J. on March 27, 2018

Hurwitz and Demetri. Ultimately the respondent walked away from the reunification therapy process and has not participated in it since June 2018.

[79] In cross examination, the applicant was asked whether she takes any ownership of the breakdown in the father/son relationship. She candidly answered that she is sure that she has been part of the problem at various times and that she has not been a perfect ex-wife or parent.

[80] Hers is a sensible, adult, realistic view of the situation. His is a self-serving, blame game, revisionist view of history.

Hurwitz Account

[81] Despite having agreed to pay one half of the cost of therapy with Mr. Hurwitz, the respondent paid only $2,500 toward the Hurwitz account; the applicant paid the remainder, $4,880. The applicant claims the sum of $1,190 from the respondent to equalize the parties' respective contributions to the cost of the therapy. This is a reasonable claim and an order will issue accordingly.

Passports, Government Documents and Travel Consents

[82] The applicant submits that involving the respondent in matters pertaining to applications for passports and other government documents and in consents for Demetri to travel would inevitably lead to conflict and would not further Demetri's best interests. There is no productive level of communications between the parties and I accept that the relationship is toxic and that the respondent has not sent the applicant written correspondence since July 2018.

[83] In these circumstances and considering that the respondent has consented to the applicant having sole decision making authority for parenting matters for Demetri going forward, I am content to order that such consents be dispensed with.

Updates Three Times Each Week

[84] The applicant has been providing the respondent with thrice weekly brief updates on Demetri's status and progress but as the respondent has not responded to information provided since July 2018 and as the Respondent has every right to obtain information about Demetri from the school, health care providers and other sources, I agree with the applicant that these updates serve no useful purpose and shall be dispensed with.

[85] It is important however that the applicant communicate with the respondent, as she has offered to do, in situations of emergency affecting Demetri, if Demetri is facing significant health issues and/or if Demetri requests visits with the respondent.

Sole Custody

[86] Since the May 29, 2014 order, the parties have shared joint custody of Demetri. There was no evidence at the trial of the Motion to Change on whether/why that order should be varied to an order of sole custody to the applicant.

[87] More specifically, there is no evidence to support a finding that sole custody will advance Demetri's best interests. Furthermore, as the respondent has consented to an order that Demetri shall reside with the applicant and an order that the applicant be granted sole decision making rights regarding parenting issues for Demetri, I see no need to vary the existing order of joint custody.

[88] An order granting sole custody to the applicant may be misconstrued by Demetri and/or the respondent in winner/loser terms that our courts have been moving away from in recent years[18] and that changes upcoming to family law legislation will address. Changing the custody status quo may well complicate and adversely affect future reconciliation attempts by Demetri and/or his father.

Orders to go:

1. Demetrio Giorgios Lafazanidis (Demetri), born April 3, 2005 shall reside with the applicant and the applicant shall have sole decision making authority regarding Demetri, including, but not limited to, in matters of education, religion, health care, extracurricular activities and travel;

2. The respondent shall have parenting time with Demetri only at Demetri's discretion;

3. Beginning March 1, 2018, the respondent shall pay $910 per month to the applicant, in child support for Demetri, based on the respondent's imputed annual income of $100,000;

4. The parties shall share section 7 expenses for Demetri in a ratio according to their respective annual incomes;

5. The respondent shall pay the applicant the sum of $1,190 for his half share of counselling provided by Howard Hurwitz;

6. The respondent's motion to vary spousal support is dismissed;

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[18] For example, see *M. v. F.*, 2015 ONCA 277, a case involving a claim for custody of a six-year-old boy in the context of an extremely acrimonious parental relationship, at paras. 38-40

7. The respondent's consent for Demetri to travel outside of Canada is dispensed with;

8. The applicant shall be able to obtain all government documents for Demetri, including passports and health cards, without the respondent's consent;

9. The applicant shall provide the respondent with updates in situations of emergency affecting Demetri, if Demetri is facing significant health issues and/or if Demetri requests visits with the respondent;

10. On a final basis, beginning in the year 2020, for as long as child support and/or spousal support is to be paid, the payor and recipient, if applicable, shall provide updated income disclosure to the other party each year, within 30 days of the anniversary of this order, in accordance with section 24.1 of the Child Support Guidelines;

11. Unless the child support order and/or spousal support order is/are withdrawn from the Family Responsibility Office, they shall be enforced by the Director and amounts owing under the orders shall be paid to the Director, who shall pay them to the person to whom they are owed. A support deduction order shall issue;

12. This order bears interest at the rate of 3% per annum on any payment or payments in respect of which there is a default from the date of default; and,

13. The parties may schedule a hearing before me in order to present evidence and submissions on costs issues.

Moore, J.

Released: May 23, 2019

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SUPERIOR COURT OF JUSTICE

BETWEEN:

Theodora Lafazanidis

Applicant

– and –

Konstantinos Lafazanidis

Respondent

REASONS FOR JUDGMENT

Moore, J.

Released: May 23, 2019