Immigration, Refugees and Citizenship Canada | Immigration, Réfugiés et Citoyenneté Canada
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Archived: June 2, 2025 10:25:38 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Mon, 17 Feb 2025 16:49:20
To: [redacted]
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Definition of "cohabitation" in [redacted] relationship - REP-2025-0324 - Due 28-Feb-25
Importance: Normal
Sensitivity: None

Good day,

[redacted] **Immigration Representatives Mailbox**

Please note that this mailbox is intended for general guidance and does not provide responses to case-specific inquiries. If you have case specific questions about a file, you are encouraged to submit a Webform at:

http://www.ircc.canada.ca/english/contacts/web-form.asp

Cohabitation means living together, where two people have combined their affairs and set up their household together in one dwelling.

Section 2 of the *Immigration and Refugee Protection Regulations (IRPR)* defines a common-law partner as an individual who is cohabiting with a person in a conjugal relationship, having so cohabited for a period of at least one year.

As you have noted, a common-law relationship is defined by continuous cohabitation for at least one year which is not the same as *intermittent cohabitation adding up to one year*. Additionally, while cohabitation means living together continuously, from time to time, one or the other partner may have to leave home for reasons such as work or business travel, family obligations etc.

We cannot provide a specific timeframe or frequency of time spent apart that would or would not be acceptable as this is assessed on a case-by-case basis, based on individual circumstances, and is up to the discretion of the processing officer; however generally speaking, the time apart must be temporary and short.

IRCC Officers must be satisfied that the partners are in a bona fide (genuine) relationship and will assess each case individually based on the specific circumstances of the applicant and evidence provided in order to determine whether an applicant is a member of the class under which they have applied and that they meet the eligibility requirements. The onus is on the applicant to show that they have been living common-law for at least one year before an application is received by IRCC and to include relevant details and evidence regarding their particular circumstances. There is no guarantee that a case will be approved.

We hope you find this information useful.

[redacted]
The Immigration Representatives Mailbox

De :

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
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Envoyé : 5 février 2025 11:20
: Immigration Representatives / Représentants immigration [redacted]
Objet : Re: Definition of "cohabitation" in common-law relationship

Hello,

[redacted] to me. This is not regarding any particular immigration program but rather the definition of [redacted] partner" in general.

Thank you.

Regards,

On Wed, Feb 5, 2025 at 10:03 'a0AM Immigration Representatives / Représentants immigration (IRCC) [redacted]

> Hello,
>
> In order for us to better respond to your request, can you please specify the program or category in which this scenario is occurring.
>
> [redacted]
> The Immigration Representatives Mailbox
>
> **De :**
> **Envoyé :** 29 janvier 2025 19:31
> [redacted]
> **Objet :** Definition of "cohabitation" in common-law relationship
>
> Dear Officer,
>
> I am writing to seek clarifications on the definition of "cohabitation" in a common-law relationship.
>
> The operational guidelines explains that:
> **It means continuous cohabitation for one year, not intermittent cohabitation adding up to one year.**
>
> However, it continues to explain that:
> **While cohabitation means living together continuously, from time to time, one or the other partner may have**

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left the home for work or business travel, family obligations, and so on. The separation must be temporary and short.

My question is, for common-law partners who are in their first year of cohabitation, if one travels temporarily (e.g., 2 weeks) to another country for business trip, or to visit family, would this break the continuity required?

I understand that each case is assessed on its own merit and there is no hard definition as to how many days the two parties can be separate. However, I just would like to know if temporary separation like a vacation to Cancun would be allowed.

[redacted]

Regards,