

Court File No.:

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

Plaintiff

- and -

Defendant

PLAINTIFF'S STATEMENT OF LAW

**VOLUME 9
FUTURE LOSS OF CAPACITY – HOUSEKEEPING AND HOME MAINTENANCE**

PART I - OVERVIEW

1. Past loss of homemaking capacity for work left undone may give rise to a claim for pecuniary and non-pecuniary general damages. In either event, it may take into account the cost of replacement services.
2. Past loss of homemaking capacity for work done with difficulty or in pain will form part of the claim for non-pecuniary general damages.
3. Past loss of homemaking capacity for the reasonable cost of replacement labour is recoverable as a special damage and is pecuniary in nature. Where work is

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* As of the February, 2017 release date, this Statement of Law has been updated by TVA

done gratuitously by family members, it is recoverable on sufficient proof of the loss.

** END OF SAMPLE **

The remainder of this statement of law contains written submission on this issue and is written like the law portion of a factum.

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