

Co-Ownership

Joint Tenancy

Co-owners are regarded as a single entity owning the whole estate.

right of survivorship
'four entities' present

JT's have no distinct or separate shares in the property. The right of survivorship happens where one joint tenant dies the remaining joint tenants will assume the rights of the interest that the deceased has left behind regardless of any will.

Possession- equal entitlement, no physical division of land or restriction on use.

Interest- Each interest must be for the same duration and of the same nature.

Time- interest should vest at the same time.

Title- acquired interest at the same time, in same way, or by adverse possession

two or more people who simultaneously enjoy the rights and responsibilities of ownership over a piece of land

Tenancy in Common

Only possession is required. Each tenant in common has a separate share of the property. The share can be disposed of during their lifetime or when they die. The shares are not physically divided so each tenant has the right to occupy all of the land. Use of the land can't be restricted by one tenant even if they own a larger share than the others.

Since 1925 co-ownership of any legal estate must be a joint tenancy.

Tenancy in Common can only exist in equity.

Co Ownership Of Land

Eugene Allen Gilmore



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