

Prop1 Class 15

Tenants in Common

Joint Tenants

Tenancy by the Entirety

Undivided Interest

A & B as tenants in common - separate but undivided interest

1 - Tenants in Common

T devises Blackacre to A and B (as tenants in common).

- A and B have separate but undivided interest in land

- Tenants in common can sell their share (A sells share to C. B and C are tenants in common). (C sells share B. B has fee simple)

- A dies and his heir is C. Then B and C are tenants in common

- A dies and his heirs are C and D. Then B and (C and D) are tenants in common.

Joint Tenants

From O to A and B as Joint Tenants

A and B have separate but undivided interest

Right of Survivorship

A dies, B inherits A's interest --> B has fee simple (B has his interest, and A's interest)

A's heir is C - cannot convey by will

Inter vivos? A transfers his interest to C. Severs joint tenancy. B and C are now tenants in common

4 Unities - TTIP

Time - Acquired at same time

Title- Acquire w same instrument

Interest - Equal, undivided share

Possession - equal right to possession of the whole

Tenancy by the Entirety

Husband and wife

Joint Tenancy + 5th unity (marriage)

Interest severed --> tenancy in common

A-B Joint (Severed TTI) --> D-B Tenants in Common

A-C Joint (Severed TTI) --> D-C Tenants in Common

B-C Joint--> B-C STILL joint tenants

B Dies intestate --> C gets B's share

D-C --> Tenants in Common

C Dies? Goes to C heirs (E)

D and E as tenants in common

