

Owning property as joint tenants or tenants in common

JOINT TENANTS

John and Alice



John and Alice each hold an undivided share in the whole property

John dies



Alice



If John dies and the joint tenancy has not been severed*, the property as a whole will pass to the surviving owner, Alice (regardless of John's will or testamentary intentions).

*Joint tenancies can be severed unilaterally so that the consent of the joint tenant is not required

TENANTS IN COMMON

John and Alice



John and Alice separately hold an individual share in the property. E.g. 50/50, 30/70 etc

John dies



John's estate



Alice

If John dies, the surviving owner, Alice, retains their individual share in the property and John's share becomes an asset in their deceased estate.