

<b>JOINT TENANCIES</b> <i>(applies to Real or Personal Property)</i>		
	<b>Tenancy in Common</b>	<b>Joint Tenancy with Right of Survivorship</b>
<b>Created</b>	Tenancy in Common is assumed in all cases, unless expressly stated otherwise	4 unities, express  <i>Also known as: Joint Tenancy with Full Right of Survivorship (JTFROS)</i>
	<p><b>“To A &amp; B” or “To A &amp; B as Joint Tenants”</b> In Colorado, any ambiguity is resolved in favor of <u>Tenancy in Common</u></p> <p><i>The only unity required is possession</i></p>	<p><b>“To A &amp; B as Joint Tenants with Right of Survivorship”</b></p> <p><i>Joint Tenants take with all four unities</i></p>
<b>Characteristics</b>	<ul style="list-style-type: none"> <li>• Each party has a distinct, undivided interest in the whole estate</li> <li>• Each party’s interest is descendible and can be conveyed by will or deed</li> </ul>	<ul style="list-style-type: none"> <li>• Each party has a distinct, undivided interest in the whole estate</li> <li>• Surviving co-tenant has a right to the whole estate (<i>if sole survivor</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>• Individual interests transferrable</li> <li>• Individual creditors can reach</li> <li>• Anyone may force partition</li> </ul> <p><b><u>NO right of survivorship</u></b></p>	<ul style="list-style-type: none"> <li>• Individual interests transferrable</li> <li>• Individual creditors can reach</li> <li>• Anyone may force partition</li> </ul> <p><b><u>Full Right of survivorship</u></b></p>

#### **4 UNITIES:**

- **TIME** *vest at same time*
- **TITLE** *by same deed*
- **INTEREST** *equal*
- **POSSESSION** *each with right to possess the whole*

#### **Severance of the Right of Survivorship**

The right of survivorship may be severed by:

- 1) Conveyance by one Joint Tenant
- 2) Agreement for the joint Tenants
- 3) Murder of one co-tenant by another
- 4) Simultaneous deaths of co-tenants

**Severance converts the estate into a Tenancy in Common**