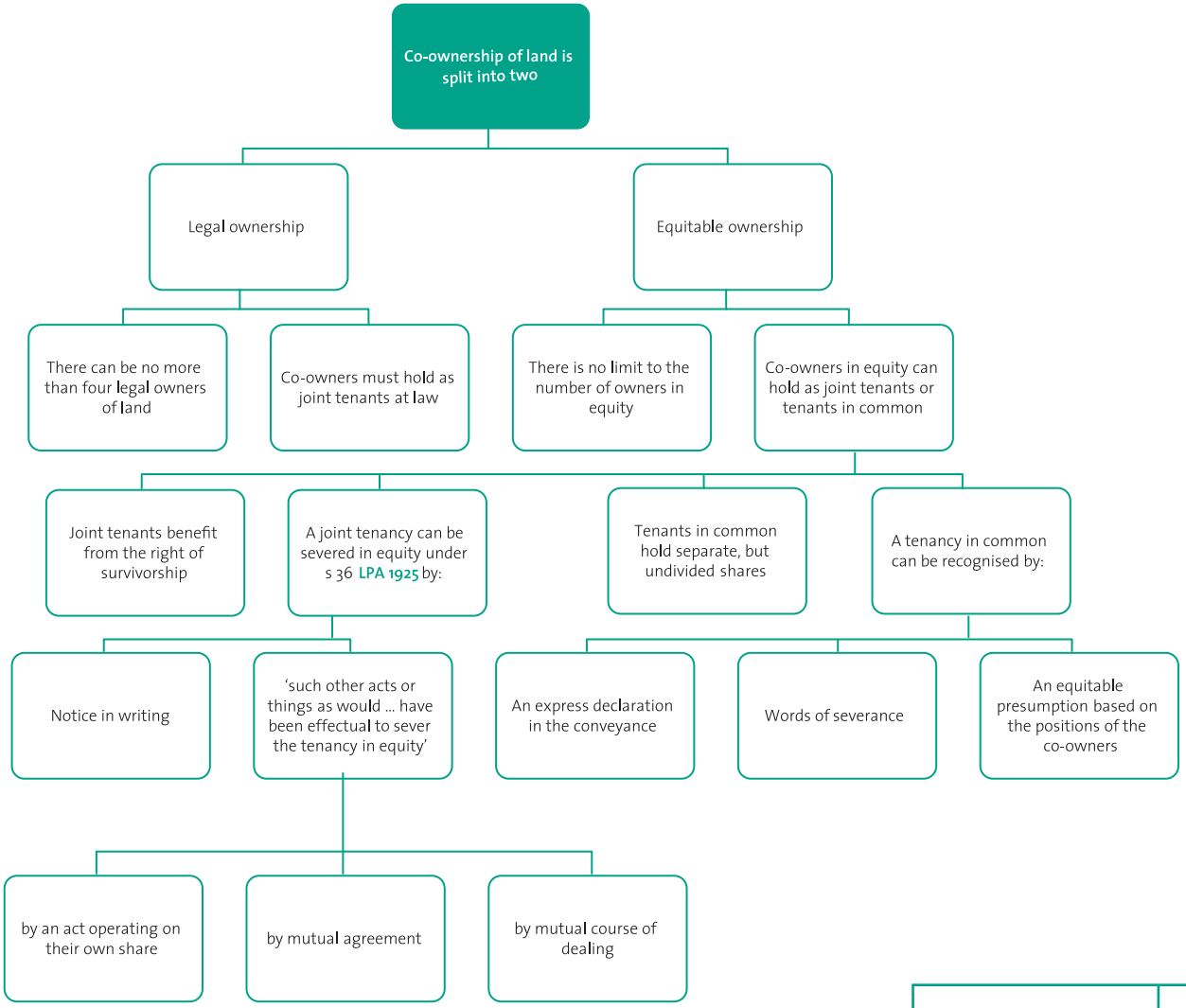
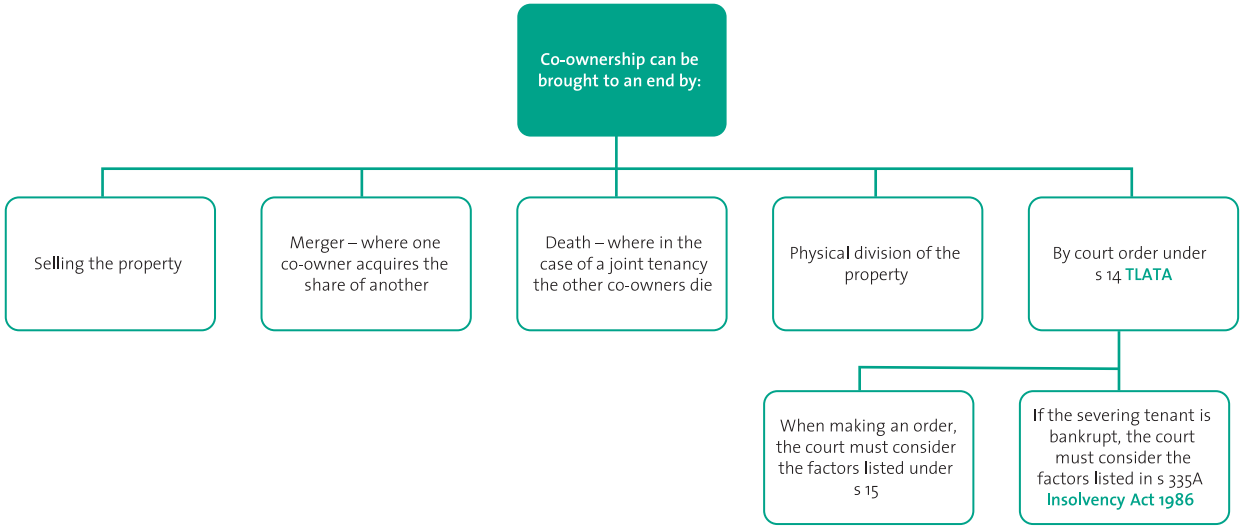

Co-ownership of land is split into two
Legal ownership
Equitable ownership
There can be no more than four legal owners of land
Co-owners must hold as joint tenants at law
There is no limit to the number of owners in equity
Co-owners in equity can hold as joint tenants or tenants in common
Joint tenants benefit from the right of survivorship
A joint tenancy can be severed in equity under s 36 LPA 1925 by:
Tenants in common hold separate, but undivided shares
A tenancy in common can be recognised by:
Notice in writing
'such other acts or things as would ... have been effectual to sever the tenancy in equity'
An express declaration in the conveyance
Words of severance
An equitable presumption based on the positions of the co-owners
by an act operating on their own share
by mutual agreement
by mutual course of dealing


Co-ownership can be brought to an end by:
Selling the property
Merger – where one co-owner acquires the share of another
Death – where in the case of a joint tenancy the other co-owners die
Physical division of the property
By court order under s 14 TLATA
When making an order, the court must consider the factors listed under s 15
If the severing tenant is bankrupt, the court must consider the factors listed in s 335A Insolvency Act 1986