

Common Ways to Hold Title Concurrent Co-Ownership Interests

| | Community Property | Joint Tenancy | Tenancy in Common | Tenancy in Partnership | Title Holding Trust | Community Property Right of Survivorship |
|-------------------|---|---|---|---|---|---|
| Parties | Only husband and wife | Any number of persons (can be husband & wife) | Any number of persons (can be husband & wife) | Only partners (any number) | Individuals, groups of persons, partnerships or corporations, a living trust | Only husband and wife |
| Division | Ownership and managerial interests are equal (except control of business is solely with managing spouse) | Ownership interest must be equal | Ownership can be divided into any number of interests- equal or unequal | Ownership interest is in relation to interest in partnership | Ownership is a personal property interest and can be divided into any number of interests | Ownership and managerial interest are equal |
| Title | Title is in the "Community". Each interest is separate by management is unified | Sale or encumbrance by joint tenant severs joint tenancy | Each co-owner has separate legal title to his or her undivided interest | Title is in the "partnership" | Legal and equitable title is held by the trustee | Title is in the "community" management is unified |
| Possession | Both co-owners have equal management and control | Equal right of possession | Equal right of possession | Equal right of possession but only for partnership purposes | Right of possession as specified in the trust provisions | Both co-owners have equal management and control |
| Conveyance | Personal property (except "necessaries") may be conveyed for valuable consideration without consent of other spouse: real property requires written consent of other spouse and separate interest | Conveyance by one co-owner with the others breaks the joint tenancy | Each co-owner's interest may be conveyed separately by it's owner | Any authorized partner may convey whole partnership property for partnership purposes | Designated parties within the trust agreement authorize the trustee to convey property. Also a beneficiary's interest in the trust may be transferred | Right of survivorship may be terminated pursuant to the same procedures by which a joint tenancy may be severed |

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| | creditor | | | sale to satisfy partnership creditor | | |
| Presumption | Strong presumption that property acquired by husband and wife is community | Must be expressly stated | Favored in doubtful cases except husband and wife case | Arise only by --- of partnership – ---- in property ---- partnership | ----- ----- ----- ----- ----- ----- | Must be expressly stated |