

Joint Tenancy Ownership

What is joint tenancy ownership?

Joint tenancy ownership is where 2 or more people hold title to an asset together. Unlike other types of joint ownership, upon the death of one of the owners, the deceased person's interest passes automatically to the surviving joint tenants. This is called the "right of survivorship."

How do I create a joint tenancy?

A joint tenancy is created in a document, usually a deed, that must specifically say ownership is with a "right of survivorship."

Does property I own as a joint tenant pass through probate?

No, property owned as joint tenants does not pass through probate. At your death, your portion of the property goes to the other owners.

Can I use a joint tenancy to plan my estate?

Sometimes joint tenancy is the best way to plan your estate, but it is best to talk to an attorney first.

What are some considerations before creating a joint tenancy?

Joint ownership can complicate your affairs while you are still living. Joint ownership gives another person equal control over your property. Adding names to a title or deed can also affect your eligibility for tax credits and government benefits. Additionally, creditors of joint owners could collect against the jointly owned property.

Last updated on January 04, 2021.

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