

Study breakdown from the Co-ownership PDF

- **Day 1 – Big picture & vocabulary**

- Read: legal vs beneficial ownership; max four legal owners; two beneficial forms.
 - Legal title always joint tenancy; up to four owners (LPA 1925 ss.34–36).
 - Joint tenancy (one whole + survivorship) vs tenancy in common (separate “slices”).
- Task: make a 1-page glossary (legal title, beneficial title, survivorship, severance).

- **Day 2 – Joint tenancy essentials (PITT)**

- Learn the four unities (Possession, Interest, Time, Title) and what happens if one is missing.
- Quick note: if a unity is missing → treated as tenancy in common.
- Task: write two mini hypos—one that satisfies all unities; one that breaks one unity—and state the result.

- **Day 3 – Tenancy in common & how to spot it**

- Spotting “slices”: words of severance (e.g., “in equal shares”), business contexts, unequal contributions.
- Authorities: Lake v Craddock (commercial presumption); modern family-home share-finding (Stack v Dowden; Jones v Kernott).
- Task: extract 5 “tell-tale” phrases/situations from the PDF that indicate TIC, with case anchors.

- **Day 4 – Severance via statutory notice (cleanest route)**

- Concept: severance turns a beneficial JT into a TIC; you cannot sever the **legal** title.
- Method: written notice under LPA 1925, s.36(2) showing **immediate** intent (Harris v Goddard); service via s.196; effective once delivered (Kinch v Bullard; Re 88 Berkeley Road).

- Task: draft a 2-line severance notice that is valid “now”, and list how you would serve it per s.196.

- **Day 5 – Williams v Hensman routes (+ formalities & special events)**

- Three classic routes: act on your own share (assignment/mortgage/bankruptcy), mutual agreement, course of dealing.
- Mutual agreement illustrated (Burgess v Rawnsley); not every “maybe later” chat severs (Harris v Goddard; Nielson-Jones v Fedden).
- Course of dealing limits (Barton v Morris).
- Formalities for disposing of equitable interests (LPA 1925 s.53(1)(c); LP(MP)A 1989 s.2).
- Public-policy stop: forfeiture rule (Re K; Forfeiture Act 1982).
- Task: for each route, write one hypo and state precisely **who** holds **what** after severance.

- **Day 6 – TOLATA disputes (sell vs stay)**

- Powers & process: trustees’ powers (s.6), consultation (s.11), right to occupy (s.12), regulating occupation (s.13), applications (s.14), factors (s.15).
- Apply factors with a worked example (majority value 5/8; minor in occupation).
- Older “purpose” guides for s.15 discussion: Re Buchanan-Wollaston; Re Evers’ Trust.
- Task: take any severance hypo from Day 5 and write a 10-line s.14 application for sale, then rebut it.

- **Day 7 – Overreaching + exam map & drills**

- Overreaching on sale: pay purchase money to **two trustees** or a trust corporation → beneficial rights jump to the money (LPA 1925 ss.2, 27).
- Exam roadmap: identify legal vs beneficial; PITT; “equal shares” wording; severance methods; TOLATA ss.14–15.
- Task: do 10 MCQs from the PDF’s end or write your own 5; then summarize “state of play” after each event (great habit).