#### CA-PRres23

### Tenants in common agreement

Dated: [date]

The First owner: [name]

The Second owner: [name]

mis agreement is dated. [date]					
It is	made l	between:			
[Name]		Of [ • • • • ] (" • • • • ")			
and					
[Name]					
The	Prope	rty is: [full address]			
1.	Ownership of Property				
	1.1	The parties [ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■	■ ■ [ ■ ■ ■ ■ ]].		
	1.2	If the parties hold the Property as benefic	al = = = = = = , = = = = = = = = = = = =		
	1.3	This agreement sets out the trusts   I I I I I I I I I I I I I I I I I I			
	1.4	From [today / the date of • • • • ], • • •			
	1.5	The parties agree ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■ ■	••••••		
	OR				
	1.6	The parties agree • • • • • • • • • • • • • • • • • •	• • • • • • • • • • • • • • • • • • • •		
		[Freda] [Justin]	[60%] [40%]		
	OR				
	1.7	The parties shall own the Property			
		amount of purchase price contributed by	each.		

		plus				
		amount contributed by each to repay any mortgage ■ ■ ■ ■ ■ ■ ■ ■				
		plus				
2.	Ger	neral terms and conditions				
	2.1					
	2.2					
	2.3					
	2.4					
		-/::				
	2.5					
		-/::				
	2.6					
3.	Ins	nsurance				
		\$[ ].				
		].				

Signed by [Freda]
Witness to signature:
Name:
Address:
Signed by [Justin]
Witness to signature:
Name:
Address:

# **Explanatory notes:**

### Tenants in common agreement

## **Drafting notes**

1.	In law, the relationship of co-owners of property is either as "beneficial joint tenants" or as "tenants in common". The term "tenant" has no connection with the meaning of the word with reference to a tenant under a lease. The default position is that owners of real property are beneficial joint tenants. That means property is owned in equal (undivided)
2.	Once this tenancy in common document is signed, exchange copies so that each has a copy signed by the other. Then keep it safely.
3.	Of course, this agreement is used just as often by a couple buying a house together and wanting to set out the "trust" behind their purchase. So ■ ■ ■ ■
4.	So if you want total security against the World, get your
5.	The bottom line is that privacy usually prevails and

### **End of notes**