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## Common Ways to “Hold Title” - to Real Property in California

	Community Property	Community Property with Right of Survivorship	Joint Tenancy	Tenancy in Common	Partnership	TRUST
<b>Parties</b>	Husband and Wife Or Domestic Partners	Husband and Wife OR Domestic Partnership	Any number of persons (it can be husband and wife or domestic partners)	Any number of persons	Any number of Partners	Any number of the Beneficiaries of the Trust
<b>Division of Interests</b>	Equal	Equal	Equal	Any number of interests, equal or unequal	Partnership interests may be equal or unequal	Beneficial interests under a Trust may be equal or unequal
<b>Title</b>	In the names of the individual owners	In the names of the individual owners	In the names of the individual owners	In the names of the individual owners	In the name of the Partnership	In the name of the Trustee “as Trustee”
<b>Possession</b>	Equal right of possession	Equal right of possession	Equal right of possession	Equal right of possession	According to Partnership Agreement	According to Trust Agreement
<b>Conveyance</b>	Both parties must join in Conveyance	Both spouses/parties must join in a conveyance	Conveyance by one co-owner breaks the Joint Tenancy	Each co-owner’s interest may be conveyed separately	Any partner authorized by the partnership agreement may convey	Trustee may convey in accordance with the Trust agreement
<b>Death</b>	Decedent’s 1/2 interest passes to survivor unless devised by will.	Decedant’s 1/2 interest passes to survivor	Decedent’s interest passes to the survivor(s)	Decedent’s interest passes to the decedent’s estate	Partnership agreement will state either termination or continuance of the partnership	Trust agreement usually provides for distribution upon death of the settlor
<b>Successor’s Status</b>	Tenancy in Common between devisee and survivor results	Survivor owns entire interest	Last survivor owns entire interest	Devisees or heirs become Tenants in Common	Heirs or devisees have rights in partnership interest but not on a specific property	Trust agreement usually provides for distribution upon death of a settlor
<b>Creditor’s Rights</b>	Community property is liable for the debts of either party incurred before or during marriage or domestic partnership.	Community property is liable for the debts of either party incurred before or during marriage or domestic partnership.	Co-owner’s interest may be sold at an execution sale to satisfy the co-owner’s judgment creditor.	Co-owner’s interest may be sold at an execution sale to satisfy the co-owner’s judgment creditor.	Only a partner’s right to receive profits can be executed upon by the partner’s judgment creditor.	Usually - a creditor cannot execute on a Beneficiaries interest.

This chart is for reference purposes only. How Title is vested has important legal consequences, and this chart should not be relied upon to make that decision. I, Oscar Castillo : BROKER - REALTOR® in San Diego County, am not in the "TITLE" nor "Escrow" business. My intent of presenting this chart to you is specifically for you to become more informed and aware about the various ways in which you can hold Title to Real property. It is recommended that you consult with an attorney in order to determine the "best fit" and/or form of ownership to your particular situation. Someone who is not an attorney cannot give advice regarding how to hold Title because in doing so would constitute an unlawful practice of law.