<table>
<thead>
<tr>
<th></th>
<th>Community Property</th>
<th>Joint Tenancy</th>
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<th>Tenancy in Partnership</th>
<th>Title Holding Trust</th>
<th>Community Property w/Right of Survivorship</th>
<th>Registered Domestic Partners</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parties</strong></td>
<td>Only husband and wife</td>
<td>Any number of persons (can be husband and wife or registered domestic partners)</td>
<td>Any number of persons (can be husband and wife or registered domestic partners)</td>
<td>Only partners (any number of partners)</td>
<td>Individuals, groups of persons, or corporations, a living trust</td>
<td>Only husband and wife</td>
<td>Only partners that are registered with the California Secretary of State’s Domestic Partners Registry</td>
</tr>
<tr>
<td><strong>Division of Interest</strong></td>
<td>Owners and managerial interests are equal (Except control of business is solely with managing spouse)</td>
<td>Ownership interest must be equal</td>
<td>Ownership can be divided into any number of interests equal or unequal</td>
<td>Ownership interest is in relation to interest in partnership</td>
<td>Ownership is a personal property interest and can be divided into any number of interests</td>
<td>Ownership and managerial interests are equal</td>
<td>Ownership and managerial interests are equal (except control of business is solely with managing domestic partner)</td>
</tr>
<tr>
<td><strong>Title</strong></td>
<td>Title is in the “community”. Each interest is separate but management is unified</td>
<td>Equal right of possession</td>
<td>Each co-owner has a separate legal title to his/her undivided interest</td>
<td>Title is in partnership</td>
<td>Legal title is held by the trustee; beneficiary has equitable title</td>
<td>Title is in the “community.” Management is unified</td>
<td>Title is in the “community.” Each interest is separate but management is unified</td>
</tr>
<tr>
<td><strong>Possessions</strong></td>
<td>Both co-owners have equal management control</td>
<td>Equal right of possession</td>
<td>Equal right of possession but only for partnership purposes</td>
<td>Right of possession as specified in the trust provisions</td>
<td>Both co-owners have equal management and control</td>
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<td>Both co-owners have equal management and control</td>
</tr>
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<td><strong>Conveyance</strong></td>
<td>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 cannot be conveyed except upon death</td>
<td>Conveyance by one co-owner without the others breaks the joint tenancy</td>
<td>Each co-owner’s interest may be conveyed separately by its owner</td>
<td>Any authorized partner may convey whole partnership property for partnership purposes</td>
<td>Designated parties within the trust agreement authorize the trustee to convey property. Also, a beneficiary’s interest in the trust may be transferred</td>
<td>Right of survivorship may be terminated pursuant to the same procedures by which a joint tenancy may be severed</td>
<td>Personal property (except “necessaries”) may be conveyed for valuable consideration without consent of other partner; real property requires written consent of other partner, and separate interest cannot be conveyed except upon death</td>
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*(Read More...)*
## Vesting: Common Ways of Holding Title to Real Property

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<td><strong>Death</strong></td>
<td>On co-owner’s death, 1/2 belongs to survivor in severalty. 1/2 goes by will to decedent’s devisee or by succession to survivor</td>
<td>On co-owner’s death, his/her interest ends and cannot be disposed of by will. Survivor owns the property by survivorship</td>
<td>On co-owner’s death, his/her interest passes by will to devisee or heirs. No survivorship rights</td>
<td>On partner’s death, his/her partnership interest passes to the surviving partner pending liquidation of the partnership. Share of deceased partner then goes to his/her estate</td>
<td>Successor beneficiaries may be named in the trust agreement, eliminating the need for probate</td>
<td>Upon death of spouse, his/her interest passes to the surviving spouse, without administration, subject to the same procedures as property held in joint tenancy</td>
<td>On co-owner’s death, 1/2 belongs to survivor in severalty. 1/2 goes by will to decedent’s devisee or by succession to survivor</td>
</tr>
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<td><strong>Successor’s Status</strong></td>
<td>If passing by will, tenancy in common between devisee and survivor results</td>
<td>Last survivor owns property</td>
<td>Devisors or heirs become tenants in common</td>
<td>Heirs or devisees have rights in partnership interest but not specific property</td>
<td>Defined by the trust agreement, generally the successor becomes the beneficiary and the trust continues</td>
<td>Surviving spouse owns property</td>
<td>If passing by will, tenancy in common between devisee and survivor results</td>
</tr>
<tr>
<td><strong>Creditor’s Rights</strong></td>
<td>Property of the community is liable for debts of either spouse, which are made before or after marriage. Whole property may be sold on execution sale to satisfy creditor</td>
<td>Co-owner’s interest may be sold on execution sale to satisfy his/her creditor. Joint tenancy is broken. Creditor becomes a tenant in common</td>
<td>Co-owner’s interest may be sold on execution sale to satisfy his/her creditor. Creditor becomes a tenant in common</td>
<td>Partner’s interest may be sold separately by &quot;Charging Order&quot; by his/her personal creditor, or his/her share of profits may be obtained by a personal creditor. Whole property may be sold on execution sale to satisfy partnership creditor</td>
<td>Creditor may seek an order for execution sale of the beneficial interest or may seek an order that the trust estate be liquidated and the proceeds distributed</td>
<td>Property of community is liable for debts of either which are made before or after marriage; whole property may be sold on execution sale to satisfy creditor</td>
<td>Property of community is liable for debts of either partner, which are made before or after registration as domestic partners. Whole property may be sold on execution sale to satisfy creditor</td>
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</tbody>
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Ticor Title has provided these comparisons for informational purposes only. These charts are not to be used to determine how you should acquire ownership in the property. It is strongly recommended that you seek professional advice from an attorney and/or your tax advisor to determine the legal and tax consequences of how your title should be vested.