



Taylor *Bracewell*

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Family Law

Jointly Owned Property - Husband/Wife v1

Call the Family Team on 01302 640 409

Email family@taylorbracewell.co.uk

Visit www.TaylorBracewell.co.uk

Partners

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Jointly Owned Property - Husband/Wife

I understand that you and your spouse own your property as "joint tenants". This means that, if one of you dies, the survivor will be entitled to the whole property, irrespective of any provision in a Will.

It is possible to prevent this occurring by preparing a simple document known as a "Notice of Severance" which you should sign and which must be sent to your spouse for signature. Once you have both signed this document, it will be lodged at the Land Registry. After the Notice has been sent to your spouse, even if [she][he] does not sign and return it, the property will then be owned by you both as "tenants in common". This means that, in the event of you dying before your spouse, your share in the property will pass according to the terms of your Will or under the rules of Intestacy if you have no valid Will. Please note however, if you take this course of action and your spouse also makes a Will and dies before you, their share in the property will pass under the terms of their Will rather than to you as at present.

You ought to consider making a Will in any event. This will cost in the region of £100.00 to £150.00 plus VAT depending on the complexity of the individual Will. If you wish to take this course of action, I will be happy to arrange an appointment with one of my colleagues.

If you decide not to sever the joint tenancy to your home at the present moment in time but change your mind at a later date, you must advise me immediately.

Please consider this form carefully and contact me if you require any clarification. I would be obliged if you would indicate your wishes in writing by signing the Declaration below and returning the same to. Please do not sign the form unless you clearly understand the implications.



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DECLARATION

I **DO/DO NOT** wish to prepare a Notice of Severance in respect of my property.

Signed.....

Dated.....

Computer No :

Client Name :

Fee Earner :

Need more information?

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