



Concurrent Ownership in Real Estate - Pennsylvania

Joint tenancy, tenancy in common and tenancy by the entirety are three ways in which two or more people may hold title together in Pennsylvania. Below are some characteristics of each that should be considered in conjunction with the advice of an attorney when two or more people are purchasing Pennsylvania real estate.

Joint Tenancy

- » Two or more persons hold title to real estate jointly
- » Joint tenants take title at the same time and by the same instrument
- » They have equal interests in the real property
- » They have the same rights to possess and use the property
- » When one joint tenant dies, his or her share in the property passes to the surviving joint tenant(s)
- » Judgments against one joint tenant become liens against the property

Tenancy in Common

- » Two or more persons hold title to real estate, but the interests are separate and independent of each other
- » Each tenant in common may sell or encumber his or her respective interest
- » When one tenant in common dies, his or her individual share in the property passes to his or her estate, not to the surviving tenant(s) in common
- » Judgments against one tenant in common become liens against the property

Tenancy by the Entirety

- » Husband and wife hold title to real estate jointly
- » When one spouse dies, his or her share in the property passes to the surviving spouse
- » Tenancy is only broken by death of a spouse or divorce
- » Judgments against one spouse are not liens against the property (except federal tax liens and certain other federal judgments)
- » Where a judgment against one spouse exists, and the non-defendant spouse dies or the spouses divorce, the judgment becomes a lien against the property



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