

Joint Tenants and Tenants in Common

Joint Tenants and Tenants in Common are two ways multiple people can co-own real property in Michigan.

Joint Tenants (Joint Tenancy) All owners hold an equal, undivided interest in the entire property. The key feature is the right of survivorship — when one owner dies, their share automatically passes to the surviving owner(s), bypassing probate. In Michigan, joint tenancy must be explicitly stated in the deed (e.g., "as joint tenants with full rights of survivorship").

Tenants in Common Each owner holds a separate, divisible share of the property, which can be equal or unequal (e.g., 60/40). There is no right of survivorship — when an owner dies, their share passes through their estate (by will or intestate succession), not automatically to the other co-owner(s). This is Michigan's default form of co-ownership when the deed is silent.

Quick Comparison

Feature	Joint Tenants	Tenants in Common
Ownership shares	Always equal	Can be unequal
Right of survivorship	✓ Yes	✗ No
On death, share goes to...	Surviving co-owner(s)	Deceased's estate/heirs
Michigan default?	No (must be stated)	Yes
Can sell/transfer share freely?	Yes (but breaks joint tenancy)	Yes

Practical tip: Married couples often choose joint tenancy for simplicity of transfer at death. Business partners or investors often prefer tenants in common so each person's share can go to their own heirs.

This is general legal information, not legal advice — for your specific situation, consult a Michigan-licensed real estate attorney.