**Activity 3: Case study analysis**

Read the following case studies and answer the questions that follow. Discuss your answers with your group and be prepared to share your thoughts with the class.

**Case study 1**

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| Image © Pexels/aksinfo7 universe | Sarah and Theo, two close friends, decide to buy a holiday home together. They opt to own property as joint tenants. Tragically, a year after purchasing the property, Sarah dies. |

Answer the following questions.

1. What happens to Sarah’s share of the property after her death?

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2. Does the property need to go through probate for Theo to gain full ownership?   
Please explain your answer.

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3. What rights does Theo have as the surviving joint tenant?

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4. What would happen if Theo wanted to sell the property now?

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5. Why might Sarah and Theo have chosen joint tenancy instead of tenancy in common?

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6. How does the right of survivorship benefit Theo in this situation?

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**Case study 2**

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| Image © Pexels/Max Vakhtbovycn | Aiko, Kenji and Mei inherit an apartment that was rented out from their family. They decide to own it as tenants in common. Aiko owns 50%, Kenji owns 30% and Mei owns 20%. After a year, Aiko needs money and decides to sell her share of the property. |

Answer the following questions.

1. Can Aiko sell her share of the property without Kenji and Mei’s consent?

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2. What happens to Aiko’s share if she dies before selling it?

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3. How do the ownership shares affect decisions about the property’s management and income distribution?

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4. What rights do Kenji and Mei have if a new person buys Aiko’s share?

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5. Why might Aiko, Kenji and Mei have chosen tenants in common instead of joint tenancy?

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6. How does owning unequal shares impact their responsibilities and benefits?

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**Case study 3**

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| Image © Pexels/Joel Zar | Aiden, Bella and Claire are siblings. Aiden contributed more to the upkeep of the house over the years, and the siblings agreed that he should own a larger share. They want to maintain the flexibility to sell or transfer their shares independently in the future, but they also want the arrangement to reflect their unequal contributions. |

Answer the following questions.

1. Which type of ownership would allow Aiden, Bella and Claire to own unequal shares?

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2. Can Aiden sell his share of the property without Bella and Claire’s consent? Please explain your answer.

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3. If Bella wants to leave her share to her children in her will, is this possible under tenants in common? Please explain your answer.

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4. What happens to Claire’s share if she passes away without a will?

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**Case study 4**

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| Image © Pexels/Ryan Collis | Priya and Liam are a married couple who recently purchased a home together. They both contributed equally to the down payment and mortgage payments. They want to ensure that if one of them dies, the surviving spouse automatically inherits the entire property without any legal delays or complications. They also want to make sure that the property ownership process is as straightforward as possible. |

Answer the following questions.

1. Which type of ownership is most suitable for Priya and Liam, given their desire for automatic inheritance?

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2. What happens to the property if Priya dies before Liam?

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3. Would the property need to go through probate if one of them dies?

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4. Can either Priya or Liam sell the property without the other’s consent? Please explain your answer.

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**Case study 5**

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| Image © Pexels/Jocelyn Erskine-Kellie | A local government council owns a piece of land that has been used as a public park for many years. The council decides to sell the land to a private developer who plans to build a residential complex on the site. However, a group of local residents objects to the sale, arguing that the park is a vital community resource and should be preserved. |

Answer the following questions.

1. Before selling the land, what must the council do?

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2. What does Section 123 of the Local Government Act 1972 require the council to do?

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3. If the council proceeds with the sale despite significant objections, how can the residents challenge the decision?

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