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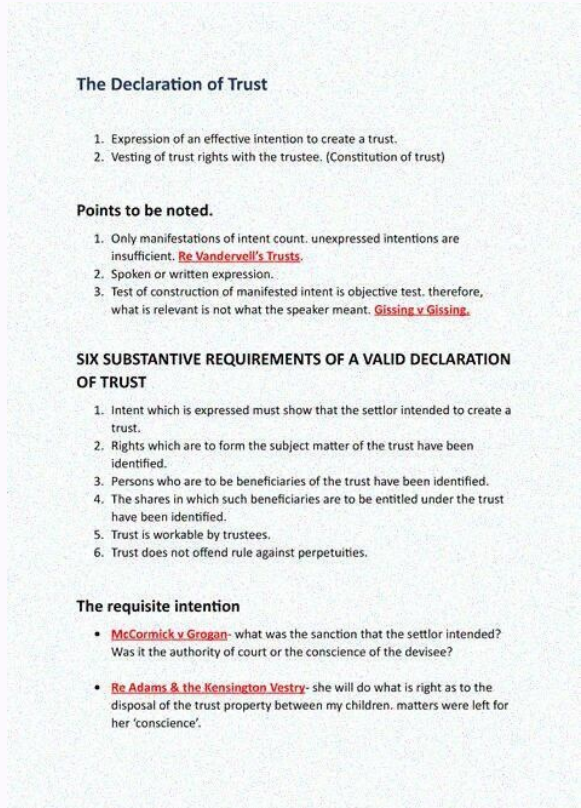
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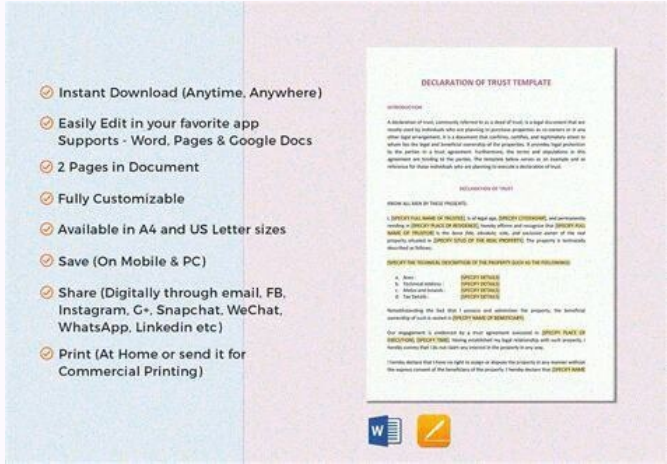
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A trust needs three things to be valid: the intention to create a trust, the property and its beneficiaries, and the people who benefit from the property. A declaration of trust shows the intention and identifies the property and its beneficiaries clearly. A simple declaration can prove that a bare trust exists. For example, a written declaration of bare trust could say "I John Smith declare that I hold the property XXXXX for my son David Smith" or "I John Smith declare that I hold the property XXXXX on trust for my son David Smith". John Smith signs and dates the declaration. The beneficiary, David Smith, does not need to know or sign the declaration. The word 'declare' is clear and unambiguous. Both declarations mean that John holds the property as a trustee for David. David has the right to the property and any income from it. This is a bare trust. The word 'absolutely' in the first declaration means that there are no conditions. A declaration can omit 'absolutely' - if nothing follows 'David Smith' in the second declaration, then 'absolutely' is implied. If there are no conditions, you can usually accept a declaration like this as a valid bare trust from the date it is signed. A condition could be that David has to reach 25 years old before he gets his right to the property. If there are any conditions, this is not a bare trust. If the person making the declaration disagrees, you should ask Trusts Technical for advice. See TSEM11100. Nothing in the declarations suggests that they are deeds (TSEM9530). A declaration of trust is usually a statement by the owner of property that they hold it for someone else. They do not transfer the ownership. (See the difference in TSEM9530.) The beneficiary has a legal right to the property created by the declaration, which the courts can uphold. The person who gives the property/trustee does not have to register the trust with the Land Registry, nor does the document need to be delivered.. A declaration of trust is a written document that confirms how joint owners share a property. It can be used when the owners have different financial contributions to the property and want to avoid disputes over their shares. A declaration of trust becomes valid when it is signed and witnessed, but it does not prove that the trust existed before that date. To show that, other evidence is needed. For more guidance on the validity of a declaration of trust, contact Trusts Technical. see TSEM11100.



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A trust needs three things to be valid: the intention to create a trust, the property and its beneficiaries, and the people who benefit from the property. A declaration of trust shows the intention and identifies the property and its beneficiaries clearly. A simple declaration can prove that a bare trust exists. For example, a written declaration of bare trust could say "I John Smith declare that I hold the property XXXXX for my son David Smith" or "I John Smith declare that I hold the property XXXXX on trust for my son David Smith".

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trusts need three things to be valid: the intention to create a trust, the property and its beneficiaries, and the people who benefit from the property. A declaration of trust shows the intention and identifies the property and its beneficiaries clearly. A simple declaration can prove that a bare trust exists. For example, a written declaration of bare trust could read: "I, John Smith declare that I hold the property XXXXX for my son David Smith" or "I, John Smith declare that I hold the property XXXXX on trust for my son David Smith". John Smith signs and dates the declaration. The beneficiary, David Smith, does not need to know or sign the declaration. The word 'declare' is clear and unambiguous. Both declarations mean that John holds the property as a trustee for David. David has the right to the property and any income from it. This is a bare trust. The word 'absolutely' in the first declaration means that there are no conditions. A declaration can omit 'absolutely' - if nothing follows 'David Smith' in the second declaration, then 'absolutely' is implied. If there are no conditions, you can usually accept a declaration like this as a valid bare trust from the date it is signed. A condition could be that David has to reach 25 years old before he gets the right to the property.

A declaration of trust is usually a statement by the owner of property that they hold it for someone else. They do not transfer the property to the beneficiary. For example, if John Smith is aged 35, he can declare that he holds the property for his 15-year-old son David. A declaration of trust is usually a statement by the owner of property that they hold it for someone else. They do not transfer the ownership. (See the difference in TSEM9530.) The beneficiary has a legal right to the property created by the declaration, which the courts can uphold. The person who gives the property/trustee does not have to register the trust with the Land Registry, nor does the document need to be delivered. A declaration of trust is a written document that confirms how joint owners share a property. It can be used when the owners have different financial contributions to the property and want to avoid disputes over their shares. A declaration of trust becomes valid when it is signed and witnessed, but it does not prove that the trust existed before that date. To show that, other evidence is needed. For more guidance on the validity of a declaration of trust, contact Trusts Technical. See TSEM11100. A declaration of trust is also called a deed of trust. It helps joint owners to divide the proceeds of sale according to their actual contributions to the property. These contributions include purchase costs, mortgage payments and improvement expenses. The document calculates each owner's percentage share in the property based on these factors. This declaration of trust template is for tenants in common who have unequal contributions to the property. It assumes that there are two owners who live in England and Wales and own a property there.

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The words used are clear and unambiguous. The declarations mean that John holds the property as a trustee for David. David has the right to demand the return of the property. The word "absolutely" in the first declaration means that there are no conditions. A declaration can omit 'absolutely' - if nothing follows 'David Smith' in the second declaration, then 'absolutely' is implied. If there are no conditions, you can usually accept a declaration like "I declare that I hold the property XXXXXX on trust for David Smith".

David has the right to demand the return of the property at any time. His declaration means that there are no conditions. If there are any conditions, this is not a bare trust. If the person making the declaration disagrees, you should ask Trusts Technical for advice. See TSEM1100. Nothing in the declarations suggests that they are deeds (TSEM9530). A declaration of trust is usually a statement by the owner of property that they hold it for someone else. They do not transfer the ownership. (See the difference in TSEM9530.) The beneficiary has a legal right to the property created by the declaration, which the courts can uphold. The person who gives the property/trustee does not have to register the trust with the Land Registry, nor does the document need to be delivered. A declaration of trust is a written document that confirms how joint owners share a property. It can be used when the owners have different financial contributions to the property and want to avoid disputes over their shares.

See TSEM1100. A declaration of trust is also called a deed of trust. It helps joint owners to divide the proceeds of sale according to their actual contributions to the property. These contributions include purchase costs, mortgage payments and improvement expenses. The document calculates each owner's percentage share in the property based on these factors. This declaration of trust template is for tenants in common who have unequal contributions to the property. It assumes that there are two owners who live in England and Wales and own a property. The template can be modified for more owners, but the legal ownership can only be held by up to four people. The template is suitable for any type of property, whether it is registered or unregistered, freehold or leasehold. The template can be used when the declaration of trust is made at the same time as the property purchase. This document is for owners who want to specify how they share the property. It can be used when the owners agreed the property together or later decided to state their shares. It can be used when the owners changed from joint tenants to tenants in common and want to declare their shares after the change. This document is a declaration of trust template for tenants in common based on their contributions. It is in Microsoft Word format, plain English, and simple to use and modify. RELATED DOCUMENTS: DOCUMENTS: