

# What is TOLATA?

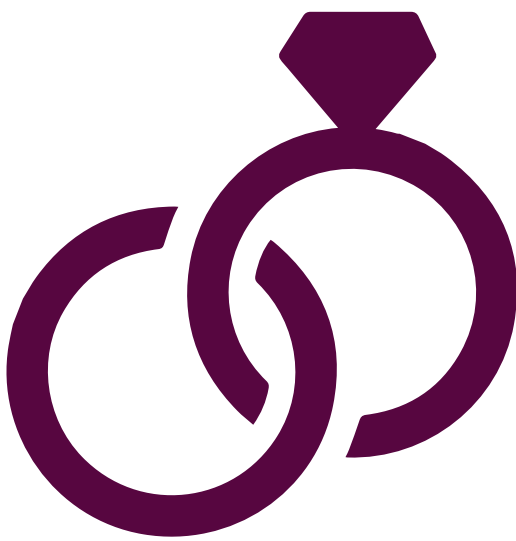
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**A** ACT 1996

TOLATA is used when a dispute arises between non-married cohabitees or family members who live in a property that is solely owned by one of the parties or owned as joint tenants/tenants in common.

It is used by the Courts to decide ownership of or how much interest an individual might have in a property.

## WHO CAN MAKE A CLAIM UNDER TOLATA?

Married Cohabitees



Non-Married Cohabitees

- Partners
- Family members
- Joint owners

Non-married cohabitees do not have the same rights as married couples or those in a civil partnership

TOLATA can determine who has proprietary rights or what the split in ownership is.

## HOW CAN I MAKE A CLAIM?

3 main applications:

An order for sale enabling an owner to realise their interests

To decide who is entitled to occupy the property

To decide the extent of the ownership and the nature of that ownership

## ALTERNATIVE DISPUTE RESOLUTION (ADR)

- ADR should be considered ahead of court action
- Qualified mediators can be appointed to help
- Court action can cost upwards of £30,000 and take in excess of a year to reach conclusion.

For any advice related to TOLATA contact  
us on 0333 400 4499