

28 (1) (a) (i) [~~Beginning on May 5, 1997, every~~] Every ownership interest in real estate  
29 granted to two persons in their own right who are designated as husband and wife ~~H→~~ [~~wife and~~  
30 ~~husband, married, or a married couple~~] ~~←H~~ in the granting documents is presumed to be a joint  
31 tenancy interest with rights of survivorship, unless severed, converted, or expressly declared in  
32 the grant to be otherwise.

33 (ii) Except as provided in Subsection (1)(a)(iii), joint tenancy may be established  
34 between two or more people.

35 (iii) Joint tenancy may not be established between a person and an entity or  
36 organization, including:

37 (A) a corporation;

38 (B) a trustee of a trust; [~~or~~]

39 (C) a partnership[~~;~~]; or

40 (D) a limited liability company.

41 (iv) Joint tenancy may not be established between an entity or organization and another  
42 entity or organization.

43 (b) Every ownership interest in real estate that does not qualify for the joint tenancy  
44 presumption as provided in Subsection (1)(a) is presumed to be a tenancy in common interest  
45 unless expressly declared in the grant to be otherwise.

46 (2) (a) Use of words "joint tenancy" or "with rights of survivorship" or "and to the  
47 survivor of them" or words of similar import means a joint tenancy.

48 (b) (i) Use of words "tenancy in common" or "with no rights of survivorship" or  
49 "undivided interest" or words of similar import declare a tenancy in common.

50 (ii) Use of words "and/or" in the context of an ownership interest declare a tenancy in  
51 common unless accompanied by joint tenancy language described in Subsection (2)(a), which  
52 creates a joint tenancy.

53 (3) A person who owns real property creates a joint tenancy in himself or herself and  
54 another or others:

55 (a) by making a transfer to himself or herself and another or others as joint tenants by  
56 use of the words as provided in Subsection (2)(a); or

57 (b) by conveying to another person or persons an interest in land in which an interest is  
58 retained by the grantor and by declaring the creation of a joint tenancy by use of the words as