

## 6-19/210.30 Joint Tenancy

In levying on the defendant's interest in personal property held in tenancy in common or joint tenancy by the defendant and another, the levying officer shall seize the whole, if the property be in the defendant's possession. The officer has no authority to partition the property; however, the officer may sell only the defendant's interest in the whole of the property. (Fonda v. Fidelity & Deposit Company, 40 CA APP 2<sup>nd</sup> 830- refers to Veach v. Adams, 51 CA 609 (1877); Conolley v. Power, 70 CA 70 (1924))

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