PROPERTY · WHO OWNS WHAT SHARE

Declaration of trust

For recording who put what into a property, who owns what share of it, and what happens when one of you wants out. Two of you answer side by side, and there is room for two more.

HOW THIS WORKS

01 **Fill in section 01**
Who you are and what you can send. If you have the deed, send it and leave most of the rest.

02 **Send it back**
Save the file and email it to aaron@safeharbour.legal.

03 **Aaron reads the papers**
He works out what this is, what has to be done and by when, and puts it in writing.

04 **A fee in writing**
Agreed before any work starts.

WHO AARON ACTS FOR

Both of you, if your instructions agree. Where they do not, Aaron will say so and may have to act for one of you, with the other taking their own advice.

WHAT IT COSTS

Declaration of trust 2 TO 3 WEEKS	**£450** + VAT, so £540
Severing the joint tenancy and Land Registry restriction	**£150** + VAT, so £180

Where the property is already in joint names, severing the joint tenancy is a separate small item and Aaron will say whether it is needed.
Every figure is plus VAT at 20 per cent, and the figure with VAT is beside it. Fees reviewed 14 September 2026. What the fee covers, what it does not and anything paid to somebody else are set out on the closing page, and the fee for your own matter is confirmed in writing before any work starts.

SEND IT BACK TO

aaron@safeharbour.legal
01262 310 850 · safeharbour.legal

Answer section 01 and send it. That is enough for Aaron to open the file, confirm the fee and book the appointment. A blank is an answer: it tells him what to ask you about.

IF AN ADVISER SENT YOU THIS

No referral fee is paid or received in either direction.

Adviser name	Firm	Email	FCA or firm reference

Aaron Johnson, Solicitor of the Senior Courts of England and Wales, TEP

01

Start here

If you fill in nothing else, fill in this. It is enough for Aaron to open the file, confirm the fee and book the appointment.

NEEDED TO START
ABOUT 5 MIN

OWNER 1	OWNER 2

Full name

As it appears on your passport or driving licence

Date of birth

DD / MM / YYYY

Email

Phone

The property, with postcode

Title number, if you know it

On the deeds or the mortgage offer

Roughly what the property is worth

Mortgage outstanding, or being taken

Date of completion, or the date you bought it

DD / MM / YYYY

Who is on the legal title, or will be?

- ☐ Both of us
- ☐ Only Owner 1
- ☐ Only Owner 2
- ☐ Somebody else as well

Who is on the mortgage, or will be?

- ☐ Both of us
- ☐ Only Owner 1
- ☐ Only Owner 2
- ☐ There is no mortgage

Being on the mortgage and owning a share are not the same thing, and the deed has to deal with both.

Is anyone else putting money in? A parent, a family member, or anyone helping with the deposit.	☐ Yes	☐ No
Is anyone else going to own a share? Up to two more, in the list in section 02.	☐ Yes	☐ No
Are you married or in a civil partnership with each other?	☐ Yes	☐ No

In a sentence, why you want this recorded now

Unequal deposits, a parent's money, protecting a share for children from an earlier relationship, or a lender asking for it. It is the answer that decides how Aaron drafts it.

Anything that would make this easier

Someone else Aaron can contact if he cannot reach you, and their number

Anything that would make it easier to deal with Aaron

Hearing, sight, reading, a language, a time of day, or someone you would like with you.

That is section 01 finished

Your name	Signature	Date
		DD / MM / YYYY

Send it now to aaron@safeharbour.legal if that is as far as you have got today. It is a complete thing to send. The rest of the form is what Aaron goes through with you, and you can send it later or bring it with you.

02 The money going in

Who is paying what, and where each part of it came from.

NEEDED TO START
ABOUT 5 MIN

The deposit and anything else paid up front

Include anyone outside the two of you, and the stamp duty and the fees if one of you is paying them. If a parent is helping, say whether it is a gift or a loan, because the deed has to say which.

WHO	HOW MUCH	WHERE IT CAME FROM	GIFT OR LOAN?
EG Owner 1	about 30,000	sale of my flat	n/a

More than this? There is a continuation sheet at the back, headed C. Write the section number beside each line.

If someone else is putting money in

Is their money to one of you, or to both of you?

- [ ] To Owner 1
- [ ] To Owner 2
- [ ] To both of us
- [ ] Nobody else is putting money in

Should it come back out of the sale before the shares are worked out?	☐ Yes	☐ No
Has anyone signed a letter for the mortgage lender saying the money is a gift?	☐ Yes	☐ No
Does the person putting it in want a share of the property itself?	☐ Yes	☐ No

If there are more than two of you

Up to two more. Their money goes in the list above, and their share in section 03.

ANYONE ELSE WHO WILL OWN A SHARE	DATE OF BIRTH	ADDRESS, WITH POSTCODE	EMAIL OR PHONE

More than this? There is a continuation sheet at the back, headed C. Write the section number beside each line.

Paying for it

Who pays the mortgage, and in what shares

Who pays the bills, insurance and repairs

Money spent on it since

An extension, a new kitchen, a roof. After the deposit, this is the commonest thing two owners fall out about.

WHO	HOW MUCH	WHAT IT WAS FOR	WHEN
EG Owner 2	about 14,000	new kitchen	2024

More than this? There is a continuation sheet at the back, headed C. Write the section number beside each line.

Should later payments change the shares, or should the shares stay fixed? Answer yes if you want the shares to move with what each of you actually pays.	☐ Yes	☐ No
If one of you stops paying their share, should the other be able to pay it and get credit for it? Credit means the amount is added to their share when it is sold.	☐ Yes	☐ No

03 The shares, and what happens next

How the value is to be split, and what each of you wants if things change.

NEEDED TO START
ABOUT 5 MIN

Owner 1's share

Owner 2's share

Anyone else's share

A percentage, or a fixed sum plus a share of the rest

If the shares are not simple percentages, say how they should work

For example: I get my £30,000 back first, then we split what is left equally.

If one of you wants to sell and the other does not, should the one staying be able to buy the other out?	☐ Yes	☐ No
Should either of you be able to force a sale?	☐ Yes	☐ No
If one of you dies, should the other be able to stay in the property?	☐ Yes	☐ No
Should the survivor be able to buy the other's share from their estate?	☐ Yes	☐ No
Do you both have wills that say what happens to your share? A declaration of trust says who owns what. A will says where it goes.	☐ Yes	☐ No
Is either of you separating from a former partner, or divorcing?	☐ Yes	☐ No

If one of you dies, who takes their share?

If one of you dies, how long should the other be able to stay, and on what terms?

For example, keeping up the mortgage and the insurance.

How should a buy-out price be worked out?

How long should the other have to buy it?

How much notice before one of you can ask to sell?

An independent valuation, or two estate agents averaged

If one of you moves out, should the one staying pay anything towards the other's share?

For example, half the market rent, or nothing.

Anything else you want the deed to deal with

Who lives there, and anything you have already agreed between you.

04

Before you send it

What happens to your answers, what to bring, and where to sign.

NEEDED TO START
ABOUT 2 MIN

What Aaron will need to see, at or before the appointment

- Photo ID and proof of address for both of you
- The title number, the deeds, or the mortgage offer
- Evidence of where each deposit came from
- Any letter from a parent or anyone else putting money in
- Your wills, if you have them

Tick what you already have. Nothing has to be sent with this form, and nothing missing here delays the work.

What the fee covers

Taken from the schedule on page one. The fee for your own matter is confirmed in writing before any work starts.

WHAT THE FEE COVERS
A deed recording who owns what share of a property, what happens on sale or death, and the Land Registry restriction to protect it.

NOT INCLUDED
Conveyancing, mortgage lender consent and tax advice on the shares are separate.

PAID TO SOMEBODY ELSE
Land Registry official copies, £7 (per document, HM Land Registry, no VAT). Land Registry restriction fee, at cost (At cost, where a restriction is registered).

ONBOARDING AND IDENTITY CHECKS
£20 plus VAT, once, for the matter, and an identity check of £6.25 plus VAT for each of you. Both are confirmed in writing before any work starts.

Two things to agree

- Tell the adviser named on page one when the matter opens, with the agreed fee, and again when it is signed.
- Ordinary email is fine for documents about my matter, and I have read the warning about money below.

Where the originals go

Where you would like the signed originals kept

With Aaron, with you, or somewhere else.

Who else should know where they are

A name and a phone number is enough.

Did anyone help you fill this in, and which parts?

Their name and how they are related to you. Write none if you did it yourself.

Signed

Type your name, or print this page and sign it by hand.

One line for each person named in the schedule above.

FULL NAME	SIGNATURE	DATE

Your information
MDLS Solicitors Limited is the controller for the information on this form. It is used to advise you and to carry out your instructions, and is kept as long as the file and the professional record require. It is not sold, and it is not shared outside the firm without your consent except where the law requires it. The data protection officer is Matthew Dowell, md@legalstudio.co.uk. The firm is registered with the Information Commissioner under ZA057790, and you can complain to the Commissioner at ico.org.uk.

If something goes wrong
If something goes wrong, say so. Tell Aaron first, on 01262 310 850 or at aaron@safeharbour.legal. If that does not settle it, write to Ian McCann, Solicitor and Chief Executive, at ijm@legalstudio.co.uk or on 0113 247 3800. You will have an acknowledgement within five working days and an answer within eight weeks. After that, or if eight weeks pass, you can take the complaint to the Legal Ombudsman at enquiries@legalombudsman.org.uk, on 0300 555 0333, or at PO Box 6167, Slough, SL1 0EH, within six months of the firm's final answer and within one year of the problem. The Solicitors Regulation Authority deals separately with conduct, at sra.org.uk.

Money
Safe Harbour's bank details do not change during a matter, and Aaron will never email to say they have. If you get any message asking you to send money somewhere new, telephone 01262 310 850 before you send anything.

C

More room, if you need it

ONLY IF IT APPLIES

Spare ruled lines for anything that did not fit in a list earlier in the form. Most people never use this page.

Your name

Date

DD / MM / YYYY

Write the section number and the name of the list on the left, then the answer on the right, in the same order as the columns on that list. One line for each thing.

SECTION AND LIST	YOUR ANSWER, IN THE SAME ORDER AS THAT LIST'S COLUMNS
EG 05 Pensions	Aviva, old works pension, about 12,000, my wife

If you have printed the form, print this page again for as many lines as you need. If you are typing and you run out of lines, put the rest in the body of the email. Nothing is lost that way.

A

At the meeting

FOR THE FIRM

Completed by Aaron, not by the client.

Instructions and what was said, in the client's own words, with their reasons

The note that answers, years later, what was said and what was understood.

Date	From and to	Where	Everyone present
DD / MM / YYYY		Office, home, telephone, video	

Client seen on their own for part of the meeting	☐ Yes	☐ No
Instructions given by the client, not through anyone who benefits	☐ Yes	☐ No
Identity verified, evidence on the file	☐ Yes	☐ No
Conflict check run and clear	☐ Yes	☐ No
Source of funds and of wealth understood and recorded where relevant	☐ Yes	☐ No
Client care letter and terms of business sent	☐ Yes	☐ No

ID: what was seen. Type and expiry only, no numbers on this sheet	How checked	File reference
	Original, certified copy, electronic	

Scope	Fee agreed, plus VAT	Matter reference	Signed and dated

WHAT HAPPENS NEXT	WHO	BY WHEN

B

For the adviser who sent this

NOT PART OF THE FORM

For the financial adviser, accountant or broker who passed this on. Nothing on this page is part of the form.

What happens to a referral

Aaron reads the form before he meets the client, confirms the fee in writing, and does the work. No referral fee is paid or received in either direction, and the client is charged the same as anyone else. If the client has ticked the box on page one, you are told twice: when the matter opens, with the agreed fee and the expected date, and again when the documents are signed. Nothing else is sent to you, and your own details are used for those two messages and nothing else. They are not added to any list and are not passed on.

What Safe Harbour does not do

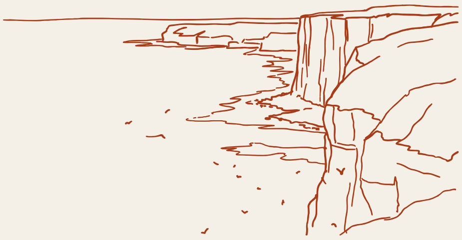
01 No investment advice, no products, no commission, and no financial promotions.
02 No approach to your client about anything you have not asked for.
03 No fee for the referral, in either direction.
04 Nothing signed without Aaron speaking to the client, on their own for part of it.

Data protection, when you forward a form

If your client returns the form themselves, MDLS Solicitors Limited is the controller from the moment it arrives and you never hold their answers. If you forward a completed form, you are processing your own client's information under your own registration and Aaron becomes a separate controller when he receives it. The cleaner route is to send the blank form and let the client return it.

Getting hold of Aaron

Aaron Johnson, Solicitor of the Senior Courts of England and Wales, TEP. Telephone 01262 310 850, or aaron@safeharbour.legal. Regulated through Legal Studio, with the professional indemnity insurance and the complaints route that brings; the complaints route is printed in full on the client's own closing page. Check the register at sra.org.uk under SRA ID 598793.



Bempton Cliffs
Drawn from a photograph by JD554, CC BY-SA 3.0