

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 16.
PARTICULAR ACTIONS, PROCEEDINGS
AND MATTERS.

CHAPTER 29.
PARTITION.

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DISTRICT OF COLUMBIA OFFICIAL CODE

CHAPTER 29. PARTITION.

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CHAPTER 29. PARTITION.

SUBCHAPTER I. PARTITION GENERALLY.

§ 16-2901. PARTIES; ACCOUNTING BY TENANT IN COMMON.

(a) The Superior Court of the District of Columbia may decree a partition of lands, tenements, or hereditaments on the complaint of a tenant in common, claiming by descent or purchase, or of a joint tenant; or when it appears that the property can not be divided without loss or injury to the parties interested, the court may decree a sale thereof and a division of the money arising from the sale among the parties, according to their respective rights.

(b) This section applies to cases where:

- (1) all the parties are of full age;
- (2) all the parties are infants;
- (3) some of the parties are of full age and some are infants;
- (4) some or all of the parties are non compos mentis; and
- (5) all or any of the parties are non-residents -- and a party, whether of full age, infant, or non compos mentis, may file a complaint pursuant to this section, an infant by his guardian or next friend, and a person non compos mentis by his committee.

(c) In a case of partition, when a tenant in common has received the rents and profits of the property to his own use, he may be required to account to his cotenants for their respective shares of the rents and profits. Amounts found to be due on the accounting may be charged against the share of the party owing them in the property, or its proceeds in case of sale.

(d) This section does not affect sections 21-146 and 21-704.

(Dec. 23, 1963, 77 Stat. 597, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 561, Pub. L. 91-358, title I, § 145(k)(1), (2).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2901.

1973 Ed., § 16-2901.

References in Text

Section 21-704, referred to in subsection (d), was repealed by § 3 of D.C. Law 6-204, effective February 28, 1987.

SUBCHAPTER II. ASSIGNMENT OF DOWER; PARTIES TO PARTITION PROCEEDING; SALE OF PROPERTY DISCHARGED FROM DOWER OR SPOUSE'S INTESTATE SHARE.[REPEALED]

§ 16-2921. APPOINTMENT OF COMMISSIONERS; CASES OF PARTITION.[REPEALED]

(Dec. 23, 1963, 77 Stat. 597, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 561, Pub. L. 91-358, title I, § 145(k)(1); Mar. 24, 1998, D.C. Law 12-81, § 10(mm), 45 DCR 745; Apr. 27, 2001, D.C. Law 13-292, § 803(c)(3), 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2921.

1973 Ed., § 16-2921.

Legislative History of Laws

For D.C. Law 13-292, see notes following § 16-912.

Law 12-81, the "Technical Amendments Act of 1998", was introduced in Council and assigned Bill No. 12-408, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 4, 1997, and December 4, 1997, respectively. Signed by the Mayor on December 22, 1997, it was assigned Act No. 12-246 and transmitted to both Houses of Congress for its review. D.C. Law 12-81 became effective on March 24, 1998.

§ 16-2922. WIDOW OR WIDOWER OF TENANT IN COMMON.[REPEALED]

(Dec. 23, 1963, 77 Stat. 597, Pub. L. 88-241, § 1; Apr. 27, 2001, D.C. Law 13-292, § 803(c)(3), 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2922.

1973 Ed., § 16-2922.

Legislative History of Laws

For D.C. Law 13-292, see notes following § 16-912.

§ 16-2923. WIFE OR HUSBAND AS PARTY TO PARTITION PROCEEDING.[REPEALED]

(Dec. 23, 1963, 77 Stat. 598, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 561, Pub. L. 91-358, title I, § 145(k)(3); Apr. 27, 2001, D.C. Law 13-292, § 803(c)(3), 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2923.

1973 Ed., § 16-2923.

Legislative History of Laws

For D.C. Law 13-292, see notes following § 16-912.

§ 16-2924. SALE OF LAND ENCUMBERED BY DOWER; LACK OF WIDOW'S OR WIDOWER'S CONSENT; WRITTEN CONSENT; PORTION OF PROCEEDS.[REPEALED]

(Dec. 23, 1963, 77 Stat. 598, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 561, Pub. L. 91-358, title I, § 145(k)(3); Apr. 27, 2001, D.C. Law 13-292, § 803(c)(3), 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2924.

1973 Ed., § 16-2924.

Legislative History of Laws

For D.C. Law 13-292, see notes following § 16-912.

§ 16-2925. SALE OF INDIVISIBLE PROPERTY; DISCHARGE FROM DOWER

OR INTESTATE SHARE.[REPEALED]

(Dec. 23, 1963, 77 Stat. 598, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 561, Pub. L. 91-358, title I, § 145(k)(3); Apr. 27, 2001, D.C. Law 13- 292, § 803(c)(3), 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 16-2925.

1973 Ed., § 16-2925.

Legislative History of Laws

For D.C. Law 13-292, see notes following § 16-912.