6. Equitable Interests

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All books in this flagship series contain carefully selected substantial extracts from key cases, legislation, and academic debate, providing able students with a stand-alone resource. This chapter explores the content of equitable interests in land, and considers how such rights differ from each of personal rights and legal estates and interests. Equitable interests in land are capable of being asserted against third parties. They have a power lacking in personal rights. The content and acquisition questions are answered differently depending on whether B claims a legal or equitable property right. It is noted that equitable interests in land depend on A’s coming under a duty to B. Moreover, as observed, equitable property rights are conceptually different from legal property rights.

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