18. **Trusts of homes – *Stack v Dowden* and the structure of the law**

General Reading for this topic: *Hudson, chapter 15*

The area of trusts of land, specifically in relation to family homes, is particularly vexed. The following lectures will consider the manner in which Equity allocates rights in the home and will also consider the theoretical bases on which that allocation takes place. Any categorisation of the possible claims in this area will be controversial - the lay-out is therefore one possible way of categorising this subject.

Trusts of Land and Appointment of Trustees Act 1996  
s.37 Matrimonial Property and Proceedings Act 1970

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**A missed opportunity**

*Reading: Hudson, section 15.2*  
**Stack v Dowden**

**Express trust of land**

*Reading: Hudson, section 15.2*  
*Goodman v. Gallant [1986] FLR 106*

*Dyer v Dyer (1788) 2 Cox Eq Cas 92*  
*Pettit v. Pettit [1970] 1 AC 777*  