

**§ 41-91. Obligations among cotenants; fiduciary relationship.**

(a) Cotenants occupy a relationship of trust and confidence to each other as to the property that obligates them to put forth their best efforts to protect and secure the common interest.

(b) Tenancy in common does not create a fiduciary relationship among the cotenants unless a cotenant undertakes to act for the benefit of another cotenant or otherwise engages in conduct creating a fiduciary relationship. (2024-47, s. 1.)