



Trespass to Chattels and Conversion

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Konomark
Most rights sharable

Trespass to Chattels

The defendant

(1) intentionally

(2) interfered with the

(3) plaintiff's right of possession in a chattel.

Trespass to Chattels – interference

Interference can be established by any of the following:

- (1) actual damage to the chattel,
- (2) actual dispossession of the chattel,
- (3) loss of use of the chattel for some appreciable amount of time, or
- (4) harm to the plaintiff, or to something or someone in whom the plaintiff had a legal interest, on account of the defendant's action

Trespass to Chattels

Some quick problems

A person you thought was a store employee directs you to have a free donut, and you eat it ...

You touch a co-worker's stapler just to annoy them ...

You are driving your friend's car, which you borrowed with permission, and lose control and hit a lightpole ...

You are driving your friend's car with permission, but now you've taken it out of town without permission, and then you lose control and the car skids off the road and into a lake ...

Conversion

The defendant

- (1) intentionally
- (2) interfered with
- (3) the plaintiff's right of possession in a chattel
- (4) in so substantial a manner as to warrant the remedy of a forced purchase.

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Sources usually call this "forced sale" but really it's a forced purchase

