



Trespass to Chattels and Conversion

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Konomark
Most rights sharable

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Trespass to Chattels

The defendant

(1) intentionally

(2) interfered with the

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

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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 ...

Is that a good case for
trespass to chattels?

Some quick problems

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

No You touch a co-worker's stapler just to annoy them ...

No You are driving your friend's car, which you borrowed with permission, and lose control and hit a lightpole ...

Yes 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 ...

Is that a good case for trespass to chattels?

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.

Conversion

The defendant

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

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

