

PROTECT PRIVATE PROPERTY

SQUATTING VS. PROPERTY RIGHTS



Instead of treating squatters as trespassers and removing them quickly, most states require property owners to file an eviction lawsuit in civil court to remove a squatter, which takes months to years.

During this waiting period, property owners are unable to live in their home, and squatters can cause thousands of dollars in property damage and utility bills.

Scholars argue that policies forcing property owners to wait so long constitute a government-approved taking of private property without just compensation.

WHAT'S AT STAKE

- ▶ Modern squatting is contrary to traditional notions of property rights.
- ▶ Squatting is becoming more common, with Georgia and New York going from less than a combined 50 squatting cases in civil court in 2020 to 235 cases in 2023.
- ▶ Some states are responding by reforming their laws, but many have not, leaving their property owners' doors open to future squatting.

SOLUTIONS

- ▶ Clearly classify squatting as trespassing.
- ▶ Shorten the legal process for property owners to remove squatters from their homes.
- ▶ Increase penalties for squatting, including criminalizing the activity and requiring remedies from squatters to property owners.

THIRTY-TWO STATES TREAT SQUATTING AS A CIVIL MATTER, OFTEN REQUIRING A LENGTHY EVICTION PROCESS.

Some states, such as Georgia, are reforming their laws to speed up the process of removing squatters and creating harsher penalties for squatters by criminalizing the activity.

DAYS TO REMOVE UNDER GEORGIA'S OLD POLICY

243

DAYS TO REMOVE UNDER GEORGIA'S NEW POLICY

10

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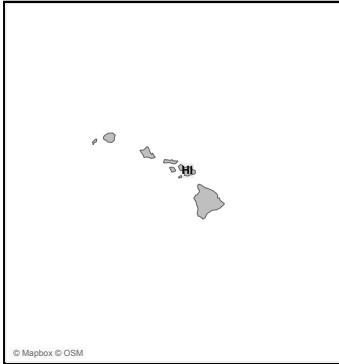


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