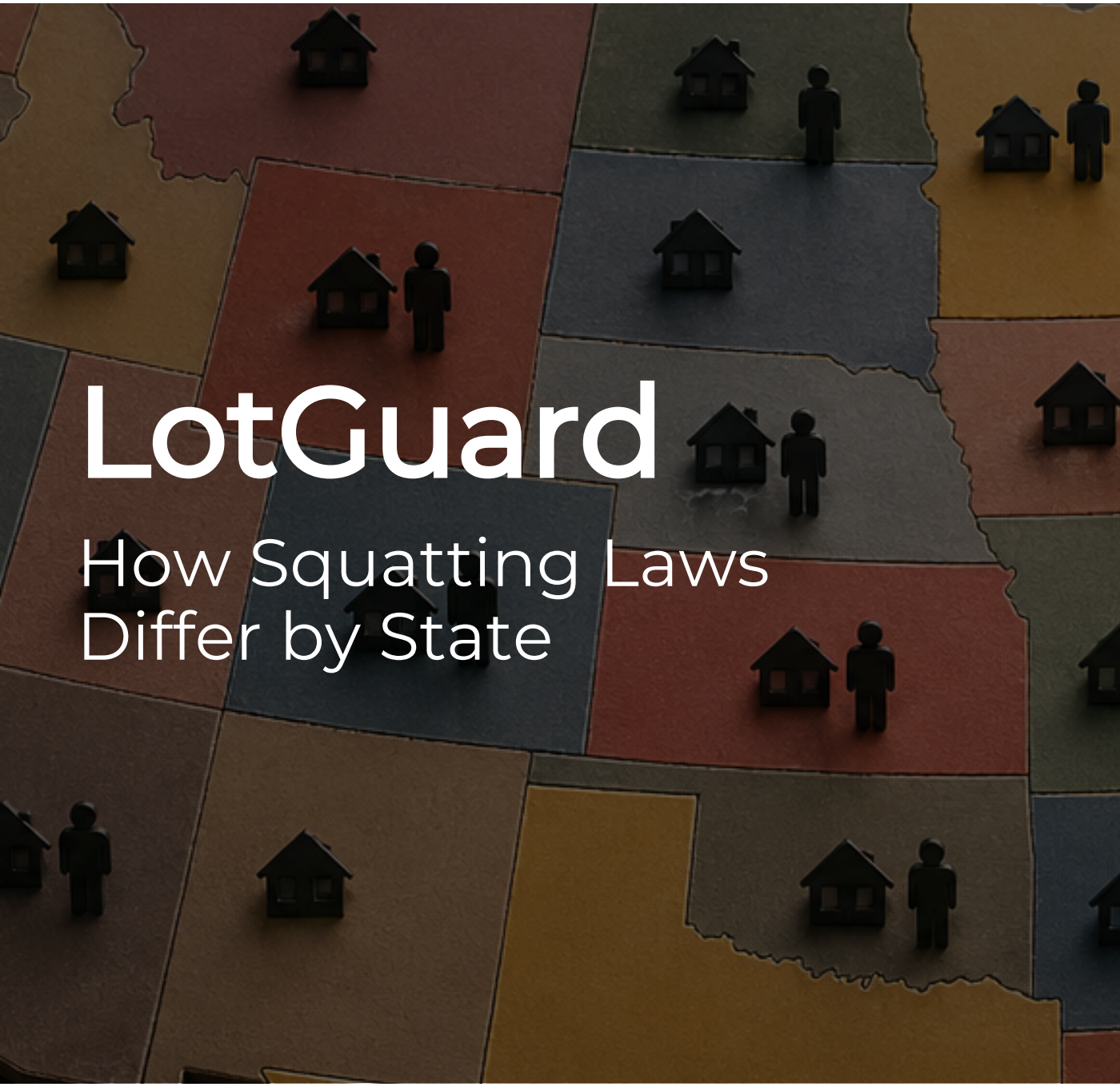
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LotGuard

How Squatting Laws Differ by State

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In California, a squatter can file for legal property ownership after just 5 years. In New Jersey, it can take up to 30. For landlords, property owners, and property management companies, understanding these differences is crucial to protecting both residential and commercial properties, particularly when they are vacant.

Squatting laws (also called adverse possession) vary widely across the United States, and many property owners don't realize their exposure until someone has already moved in. If you manage vacant properties or buildings between tenants, understanding your legal position can be the difference between a quick fix and a costly, drawn-out dispute.



This guide explains how squatting laws differ by state, the legal and financial risks for property owners, and which practical steps you can take today to prevent unauthorized occupancy before it becomes a costly legal battle.

What Is a Squatter (And What Are Their Rights)?

A squatter is an individual or group who occupy or live in a property without the owner's consent, often treating it as their own through open and continuous use despite having no lease, formal agreement, or legal ownership.

Under certain conditions (e.g., paying property taxes), they may gain legal possession and claim squatter's rights. Until the issue is resolved, many local laws can offer them protection, limiting what the owner can legally do.

Trespassers tend to enter a property illegally (or accidentally) and typically leave soon after. This is considered a criminal offense.



Squatters often enter and stay with the intention to remain long-term. This is usually treated as a civil matter, as many states treat squatters as "tenants".



However, if a squatter admits to illegal trespassing, law enforcement can remove them. If not, property owners/managers must go through lengthy legal procedures to have them removed.

Squatter's Rights

"Squatter's rights," formally known as adverse possession, exist in all 50 U.S. states. It allows someone to claim ownership of a property they occupy without permission if they meet specific conditions over a set statutory period of years.



Continuous and uninterrupted possession: Uninterrupted occupation for the full statutory period.



Open and notorious possession: The squatter isn't hiding/sneaking around; their presence is obvious.



Actual possession: Treats the property as if it's their own (including maintenance) and pays property taxes.



Hostile possession: They've moved in with no concern for who owns the building.



Exclusive possession: They're the sole occupant, not sharing with the owner.



Payment of property taxes: Required in some states (California, Florida, Arkansas)



Why do squatters have rights?

Squatter's rights vary across the US but generally exist to encourage land use, clarify ownership, and ensure fairness by discouraging abandonment, resolving long-term disputes, and protecting those who openly maintain a property over time.

State-by-State Squatting Laws: 2026

Squatting laws differ by state. In some places, squatters gain adverse possession in as little as 5 years, such as in California and Montana. In other states, such as Louisiana and New Jersey, the timeline can stretch to 30 years.





Certain states also differ in what they require before squatters gain adverse possession of vacant land. Some states require property taxes to be paid, while others demand continuous possession or a color of title (i.e., apparent title) to claim ownership.

Below, we take a closer look at the various US states that allow squatters to claim legal ownership of land after living in the property for the full statutory period:

Continued

State-by-State Squatting Laws: 2026



Property ownership laws can change at any time. Confirm local laws before filing any legal claims.

Highlighted States

California



California has one of the shortest adverse possession timelines with just 5 years. To claim it, squatters must live on the property continuously for 5 years, pay property taxes during that time, and treat it as their own. Introduced in January 2024, Senate Bill 602 helps property owners deer squatters by allowing no-trespass notices to remain valid for up to 12 months, instead of expiring every 30 days.

Florida



TIn Florida, squatters must maintain continuous possession and pay property taxes for the full statutory period to claim adverse possession. However, laws like SB322 and SB606 (passed in mid-2025) strengthen protections for commercial properties and hotels, allowing owners to file a sworn complaint with the county sheriff instead of going through the traditional eviction process.

Texas

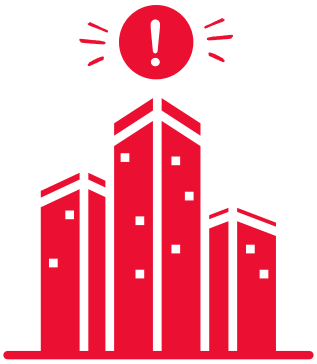


Texas uses a tiered system for adverse possession: 3 years with color of title, 5 years with property tax payments, or 10 years of continuous possession without either. Squatters must also meet the “hostile claim” requirement, meaning they occupy the property without the owner’s permission.

Why Vacant Properties are Targets for Squatters

Vacant properties are estimated to be 3–5 times more likely to face theft and vandalism, with a higher risk of squatting due to the lack of on-site presence. Signs of neglect, like overgrown yards or uncollected mail, further signal that a property isn't being monitored.

Empty buildings are prime targets for squatters because they offer easy, low-risk access to shelter, especially during housing shortages. Unlike occupied properties, they often lack surveillance or daily activity, meaning issues like broken windows or unauthorized vehicles can go unnoticed.



By the time an owner or manager discovers someone has moved in, the squatter may already have legal protections, making removal a more complex and time-consuming process. With over 15 million unoccupied homes recorded in 2024, opportunities for squatters remain widespread.



What Squatters Cost Vacant Property Owners

Even with local law enforcement on your side, squatters are costly and can cause unnecessary operational disruptions for property owners and management teams alike, such as:

- **Property damage:** Squatters often neglect properties, leading to broken fixtures, fire risks, and costly repairs.
- **Legal costs:** Evictions involve legal fees, court filings, and delays, especially if contested.
- **Safety concerns:** Unauthorized occupants can increase crime and pose risks to neighbours and the public.
- **Reduced value:** Visible squatting signals neglect, lowering appeal to buyers and tenants.
- **Resource drain:** Resolving issues takes significant time, effort, and money.
- **Insurance issues:** Unauthorised occupancy may void cover or raise premiums.



The longer a squatter stays, the more these costs increase. Without proper surveillance in place, the financial risk grows with every month that passes without intervention.

7 Ways to Protect Vacant Properties from Squatters

Empty properties often share the same risk factors that attract squatters: no surveillance, poor lighting, and visible neglect, signals the property isn't being monitored.

For property management teams and commercial real estate professionals overseeing multiple sites, most of these risk factors are within your control, making prevention about removing those signals before they're noticed.

1. **Secure entry points**
2. **Make buildings look occupied**
3. **Secure exteriors**
4. **Hire a property management company**
5. **Consider advanced integrations**
6. **Consider security guards**
7. **Invest in smart surveillance**

7 Ways to Protect Vacant Properties from Squatters

Invest in smart surveillance:

Solar-powered mobile surveillance like the **LotGuard PRO** and **MINI** monitor vacant sites 24/7 using AI-detection and near-360° PTZ (Pan-Tilt-Zoom) cameras. Connected to live remote monitoring at Interactive Surveillance Operations Centers (ISOC), operators verify potential threats in real-time and initiate various responses on a property owner's behalf.

With everything stored in cloud-based platforms, this level of security gives you real-time visibility across multiple properties from a single platform.

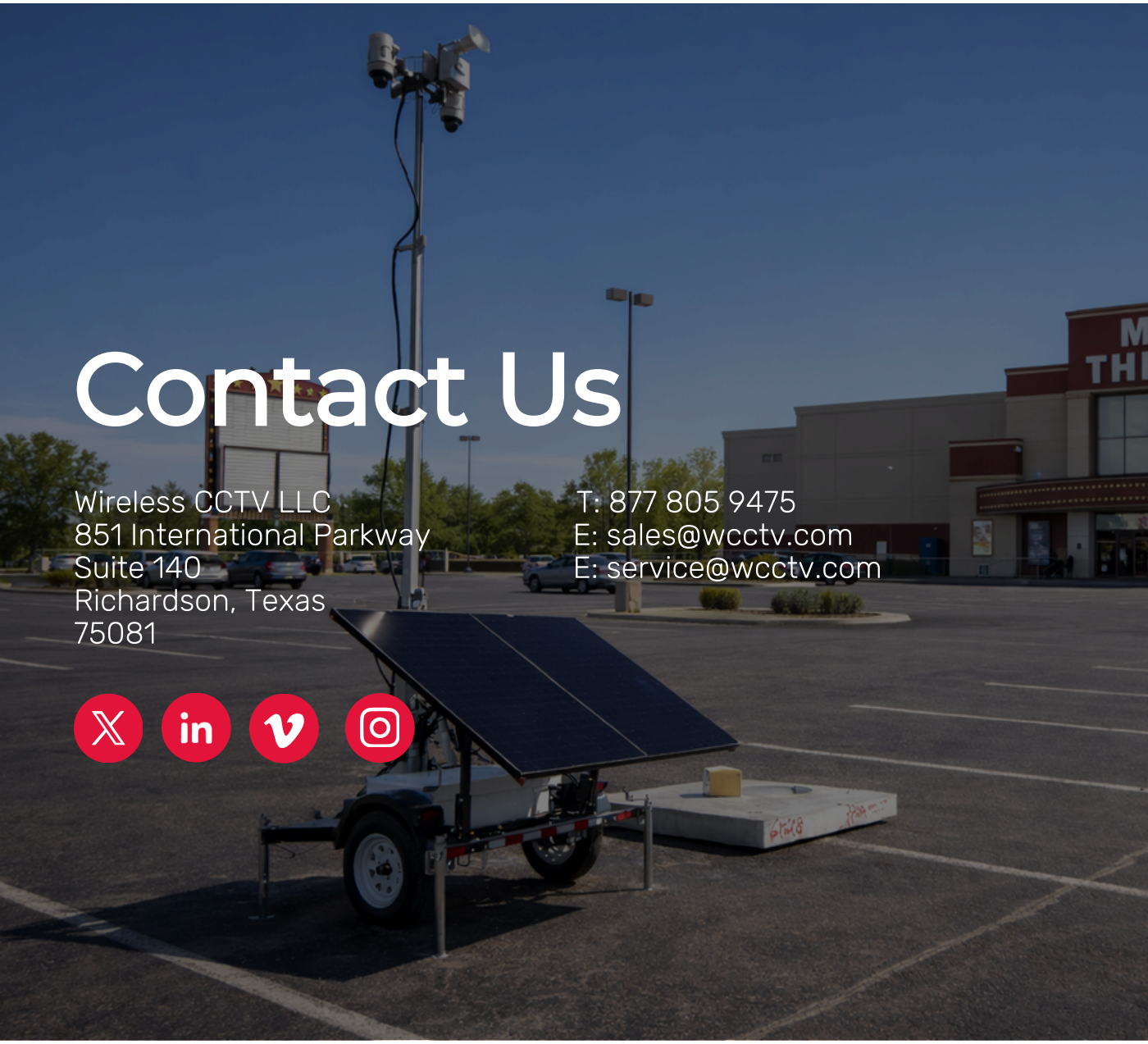


With headquarters in Texas and multiple hubs covering a wide deployment network across the US, LotGuard's mobile surface lot surveillance solutions are available to hire, giving property managers and owners scalable security at a fraction of the cost of on-site guard services.

How to Evict Squatters from Empty Properties

If someone is already occupying your property, do not handle it yourself. Self-help evictions (e.g., changing locks, shutting off utilities, or removing belongings) are illegal in most states and can expose you to liability. While eviction procedures may differ across the United States, here's a general breakdown of the process:

1. **Confirm ownership:** Gather your deed, title documents, and proof that you haven't authorized anyone to occupy the property.
2. **Contact law enforcement:** In states with recent anti-squatter legislation, you may be able to file a sworn complaint and have the sheriff remove unauthorized occupants within days.
3. **Serve a formal eviction notice:** If fast-track removal does not apply (especially in residential buildings), serve a written notice via certified mail, often a 3-day notice, though this varies by state.
4. **File an "unlawful detainer" eviction lawsuit:** If the squatter does not leave after notice, go to housing court with documentation and consider hiring an eviction attorney to expedite the process.
5. **Obtain a court order:** If the court rules in your favor, law enforcement can enforce the eviction, and the sheriff will remove unauthorized persons on a set date.
6. **Secure the property immediately:** Change locks, document the condition, and install surveillance the same day to protect the property and prevent squatters from returning.



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