



House Bill 621

Property Rights

What Is HB 621?

This Bill allows a **property owner** or **its** agent to request assistance from law enforcement to remove a person who is unlawfully occupying their property or "Squatting"

It also, creates harsh punishments for those engaged in squatting

Just Trespassing Through

- In the past Squatting was considered a civil matter
- Trespassing is a criminal offense
- HB 621 makes squatting a criminal offense
- HB 621 makes encouragement of squatting a criminal offense



Are You a Squatter?

- A squatter is a person or persons that:
 - Stays on a property that isn't theirs and claims a right to be there
 - Have unlawfully entered and remained on the property and they have been asked to leave by the property owner or agent and have not done so
 - Is not a current or former tenant
 - Is not in a real property legal dispute
 - Is not a family member



I Am NOT a Squatter!

This Bill does not apply to you if:

You have a lease or are in a legal dispute with the owner or owner's agent

You have receipt showing that you have paid to stay on the property

You are a Family member

What's in the Bill?

- Property owners or authorized agents can request sheriff assistance to remove unauthorized occupants from residential dwellings under specific conditions
 - Requires a specified complaint for such requests
 - Sets requirements for the sheriff's actions in such situations
 - Authorizes the arrest of unauthorized occupants
 - Specifies that the sheriff isn't liable for loss, destruction, or damage
- States that property owners/agents aren't liable for loss or destruction of personal property unless wrongfully removed
- Prohibits unlawfully detaining, occupying, or trespassing upon residential dwellings intentionally, causing a specified amount of damage
- Imposes criminal penalties for presenting false property documents
- Prohibits listing or advertising for sale, renting, or leasing residential real property

What Are You Complaining About?!?



The process the Owner or Agent MUST follow:

- A property owner or agent must submit a completed and verified complaint to the sheriff in the county where the property is located.
- This complaint outlines the situation and requests assistance in immediately removing unauthorized occupants from your residential dwelling.
- Upon receiving the verified complaint, the sheriff takes action, verifying ownership, identifying the occupants, and giving the occupants a notice to vacate.
- The sheriff can arrest the unauthorized occupant if there is legal cause.
- The property owner can also request that the sheriff stand by while they take possession of the property, including changing locks and removing personal property.

Some Serious Punishment

A **first-degree misdemeanor** for making a false statement in writing to obtain real property or for knowingly and willfully presenting a falsified document conveying property rights;

Up to **1-year in jail**, 1-year of county probation and fines up to \$1000

A **second-degree felony** for any person who unlawfully occupies or trespasses in a residential dwelling and who intentionally causes \$1,000 or more in damages; and

Up to **fifteen years in prison** and a fine of up to \$10,000

A **first-degree felony** for knowingly advertising the sale or rent of a residential property without legal authority or ownership.

Up to **30 years in prison** and a fine of up to \$10,000

Bad Landlord

Landlords
cannot use this
Bill to evict a
tenant

Make certain
there is a lease
executed

Tell your clients
to always have a
copy of their
lease accessible



Questions?

Have them answered LIVE on an upcoming Podcast by forwarding all questions to **Podcast@svdp.care**