



## VAGUE LAWS MAKE SQUATTER EVICTION HARDER IN PENNSYLVANIA

By Lauren Jessop,  
The Center Square Contributor

However contradictory the term “squatter’s rights” may sound, it is a growing concern that’s prompted lawmakers to seek additional protections for Pennsylvania homeowners.

While squatters are technically trespassers, not all trespassers are squatters. The conflation of terms and lack of specific laws to address the latest form of squatting has led to challenges for both law enforcement and homeowners.

State Reps. Martina White, R-Philadelphia, and Donna Scheuren, R-Gilbertsville, have proposed bills to establish a clear legal framework for evicting squatters from residential properties.

Every state has Squatters Rights laws that apply to people living in abandoned or unoccupied property without permission and requiring open residency for many years to establish rights.

However, the current squatting trend – widespread in some areas – involves individuals unlawfully staying in a home regardless of occupancy status. Homeowners may struggle for months, or even years, to remove trespassers, resulting in lost rental income and bearing the financial burdens of taxes, mortgages, utilities and legal fees.

White began addressing the issue in

2019 and told The Center Square via email, that the process of improving a bill can take years. For instance, she learned it may be more effective for Sheriff’s offices to enforce the law, given their familiarity with the eviction process.

The language of the bill, she said, is being refined before being formally reintroduced, “because it is better to get it right than to have something signed into law that proves to be ineffective in practice.”

Her memo seeking cosponsors states that law enforcement would be authorized to remove trespassers upon probable cause, based on a signed affidavit from the homeowner, after a reasonable opportunity for the accused to prove legal occupancy. Property owners or alleged squatters making false statements could be held criminally and civilly liable.

Scheuren’s bill, while similar, includes increasing the penalty to a felony for squatters causing \$1,000 or more in property damage, and allows home and landowners to seek treble damages and attorneys’ fees through civil action.

Additionally, it would require law enforcement to inform Immigration and Customs Enforcement if the squatter is an undocumented immigrant and to comply with any detainer lodged against them.

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**SQUATTER EVICTION**

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During a recent press conference, Scheuren reported receiving calls from constituents across her district concerned about the threat squatters pose.

She also pointed to a recent surge in high-profile squatting incidents. While most take place in cities, Scheuren warned that suburbs and rural areas are “quickly becoming more tempting for squatters.”

“A person’s home is their number one asset,” she said, noting that Pennsylvania is home to farms with multiple outbuildings, vacation properties, and hunting cabins in which squatters could “set themselves up and refuse to leave.”

National Rental Home Council CEO David Howard told The Center Square this is, first and foremost, a property rights issue – but it’s also a public safety and affordable housing issue. The council also prefers to use the terms trespassing or illegal occupation over squatting.

The council helped draft Georgia’s recently passed Squatter Reform Act and backed a similar bill in Florida. Howard believes the mere existence of these bills, and those being crafted in other states, will serve as a deterrent to potential trespassers.

Council members have reported trespassers participating in illegal activity such as drugs or prostitution – a concern

for the homeowner, but also a public safety issue for neighbors.

Also, because rental housing typically offers a less expensive alternative to buying a home, every unlawfully occupied residence means one less available for a legitimate rental family.

Squatting has always been an issue to some degree, but during the summer of 2023, the council began hearing more from their members, particularly in Atlanta. An informal member survey in several areas revealed there were 1,200 illegally occupied member-owned homes in the Atlanta area, 475 in Dallas-Fort Worth, and 125 in Orlando.

A homeowner’s troubles do not end when squatters are removed. Oftentimes, Howard said, they are left to deal with stolen appliances, repairing sledgehammered or graffitied walls, or cleaning up feces left on the floor.

“It’s time for our laws to focus on protecting legal homeowners instead of criminal squatters, and my legislation does just that,” said Scheuren. “The time to take action is now, or we will be dealing with the consequences of our inaction very soon.”

Similar legislation is planned in the Senate.



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