

September 3, 2024

SQUATTERS

A SQUATTER is a person who has illegally taken over your property, usually residential, whether occupied or unoccupied, a TRESPASSER, and lives there as if he owns it for however long he can, until he can rightfully prove Squatter's Rights based on the state of jurisdiction.

HOW DOES THIS HAPPEN:

- The squatter looks for an unoccupied property, mainly residential. The legal owner could be away on vacation for a few days. When he/she returns, some unknown person/family has moved into the owner's home, usually with a fake contract/lease and with the owner's fake signature.
- The owner calls the police. However, in most states, there is no law against squatting. The rightful owner has to go to civil court to get the squatter removed, using landlord/Tenant methods. Evicting a tenant from your property is not an easy task and can easily take a year or longer.
- Because the squatter has a fake lease with your illegal signature, you have to prove in court that the lease was fake, while going through the eviction process – 30 day notice, file for eviction in court, notice by the court to the squatter. If you win the eviction, the squatter is given a certain time period, usually a week, by the court to vacate; if he doesn't vacate, the owner has to obtain the services of the Sheriff/police to help with the eviction.
- In the meantime, the squatter is in your home, using your property, sleeping in your bed, eating your food, possibly wearing your clothes and when he is done, break and/or sale your property what he doesn't take with him.

What We Can Do – MD Laws

We as citizens of Charles County and the State of MD, have to advocate and write laws that will **prohibit** this senseless behavior. We have to feel as comfortable away from our homes, as in our homes. Current squatting laws in Maryland are antiquated and need to be revised to protect legal homeowners so squatting can be treated as a criminal matter and not civil.

MD Code, Courts & Judicial Procedure, Section 5-103 allows adverse possession, that is, after 20 years of living illegally in someone else's home or property, the squatter can file to own the property (he already has possession). This is called **adverse possession**, which is just one of the rights squatters have.

Laws such as these, may have been good in the 1800s, when property and lands were actually vacant; and vacant property was beneficial while migrating. This is not the case now. Criminal Intruders are taking advantage of these antiquated laws. They are stealing from legal homeowners; thereby causing a financial burden on the homeowners in their finding a place to stay while waiting to move back in their legally owned homes. In addition, the homeowner has to continue paying their monthly mortgage, and fixing/repairing/replacing any property items destroyed and/or stolen by the squatters.

Changes

- Changing squatting laws from a civil matter to a criminal act of trespassing will allow for quicker removal by law enforcement to prevent legal homeowners from going through a long expensive civil process to remove squatters;
- Adding criminal penalties for squatters using fake documents to attempt to remain in unauthorized home (s);
- Updating laws around squatting helps to keep communities safe and free from destruction; and
- Clearly defining squatting laws that will help the legal homeowner avoid long drawn out processes meant specifically for landlord tenant court that are leaving the legal homeowner with few options to remove squatters.

We need changes to squatters, such as these, in Maryland by starting with the Charles County Commission.

Thank you,

/s/ Barbara B. Harris