

What Are Squatters Rights in West Virginia?

[Do You Know If A House In Your WV Subdivision Is Vacant or Abandoned?]

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Under specific circumstances, it is possible for a trespasser to come onto someone's property and occupy it in order to gain its ownership.

Often referred to as “squatter's rights” or “adverse possession,” occupation of the property cannot occur if the property owner has evidence of their occupation in place.

It must be unused and considered to be abandoned.

Once that stipulation has been met, the squatters must occupy the property as if it were their own.

It must be done out in the open as if the squatters were the property owners.

They must care for the property and perform regular maintenance.

They must also have actual possession of the property without the permission of the property's owner.

Possession of a property must be exclusive for a period of 10 years in the above manner for an adverse possession claim to be considered valid.

Property taxes do not need to be paid by the squatters for an adverse possession claim to be considered valid.

Property Owner Rights vs Squatter's Rights

If a forced entry occurred at an abandoned property which caused damage to a structure, then a property owner has a period of 3 years to take action against the squatters which caused the damage.

They can pursue the squatters for damages that have occurred in this circumstance. West Virginia law allows for landlords to immediately file for an eviction through their local court system, which is the easiest way to remove squatters.

A hearing can be held in as little as 5 business days.

Property owners may also negate squatter's rights by granting permission in some manner for the people to live on the lands.

As soon as permission is given, the hostile nature of the possession may be cast into doubt.

Self-eviction tactics, however, are not permitted in West Virginia.

This may create circumstances where litigation may occur and cost the property owner damages and legal costs in relation to their actions.

It does not, however, negate the ability to file for a court-ordered eviction.

Squatter's rights in West Virginia have relatively few rules that must be followed, which is why property owners should regularly check on any properties that may be considered abandoned.

In doing so, they'll be able to protect their best interests and move swiftly if squatters are discovered.

SOURCE:

<http://www.landlordstation.com/blog/what-are-squatters-rights-in-west-virginia/>