

unlawful occupants to or near the property line. If you choose this service, you will be billed each hour for the deputy's time at their current overtime rate.

Any individuals remaining on the property after they are served may be arrested for trespass. If the property has been damaged, vandalized, or items stolen, you may request that a sworn complaint be filed for those charges as well.

#### **PENALTIES FOR SQUATTERS**

HB 621 also creates harsh penalties for those engaged in squatting and for those who encourage squatting and teach others the scam. The bill makes it:

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



## **CONTACT Us:**

**9-1-1 FOR EMERGENCIES**

352-955-1818 FOR NON-EMERGENCIES

#### *ACSO Important Phone Numbers*

ACSO Main Administration	352.367.4000
Crime Prevention Unit	352.374.1800
Crime Stoppers & Gun Bounty	352.372.7867
Dept. of the Jail	352.491.4444
Evidence Section	352.367-4076
Human Resources	352.367.4040
Narcotics Tip Line	352.374.1849
Patrol	352.367.4101
Public Information	352.367.4050
Property Unit	352.367.4078
Records Bureau	352.367.4006
Victim Advocate Unit	352.367.4193



BROUGHT TO YOU BY:

## ***Sheriff Chad D. Scott***

P.O. Box 5489, Gainesville, FL 32627  
2621 SE Hawthorne Road, Gainesville, FL 32641  
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ACSO 2025

**ALACHUA COUNTY SHERIFF'S OFFICE**



**FSS 82.036 - PROPERTY RIGHTS**

## WHAT INSPIRED THE NEW LAW

In 2023, a Jacksonville homeowner sent a handyman to address minor repairs to one of her rental homes after the tenants moved out. When he arrived, he found the house occupied. When the surprised homeowner responded to the home, she found two women claiming to have a valid lease (they didn't) living there. (<https://news4jax.com>)



Stock photo - not the actual home

Under the existing laws at the time, the homeowner had to go through the formal eviction process. It took her 36 days and \$5,000 in legal fees to reclaim her property. When she finally got her house back, she discovered that the squatters had inflicted approximately \$15,000 to \$20,000 in damage to her home.

## FLORIDA STATUTE 82.036 - PROPERTY RIGHTS

The above situation is a thing of the past, thanks to House Bill 621, which eliminated adverse possession, also known as "Squatter's Rights". The bill passed the Florida Legislature and was signed into law by Governor DeSantis on March 27, 2024, with an effective date of July 1, 2024.

"We are putting an end to the squatters scam in Florida. While other states are siding with the squatters, we are protecting property owners and punishing criminals looking to game the system." - *Gov. DeSantis*

The new Florida Statute 82.036 authorizes property owners (or their authorized agents) to petition the sheriff of their county to immediately remove unauthorized occupants from a residential dwelling under certain conditions. Those conditions are:

- The requesting person is the property owner or authorized agent of the property owner.
- The real property that is being occupied includes a residential dwelling.
- An unauthorized person or persons have unlawfully entered and remain or continue to reside on the property owner's property.
- The real property was not open to members of the public at the time the authorized person entered.
- The property owner has directed the unauthorized person to leave the property, but they have not done so.
- The unauthorized person or persons are not current or former tenants pursuant to a written or oral rental agreement authorized by the property owner.
- The unauthorized person or persons sought to be removed are not an owner or co-owner of the property and have not been listed on the title to the property unless the person or persons have engaged in title fraud.
- The unauthorized person or persons are not immediate family members of

the property owner.

- There is no pending litigation related to the real property between the property owner and any known authorized person.

## PROCESS FOR PROPERTY OWNERS

If you wish to have an unauthorized person removed from their residential property and you meet the conditions set forth in the previous column, contact the Alachua County Sheriff's Office Civil Bureau at (352) 384-3051. Their office is located in Room 148 of the County Administration Building at 12 SE 1st Street, in downtown Gainesville.



You will need to fill out a *Complaint to Remove Persons Unlawfully Occupying Residential Property* attesting that you meet the conditions set forth in the statute. The fee for filing the complaint is \$90.00. Civil Bureau personnel will verify your identity, collect the fee, and prepare a *Notice to Immediately Vacate*. A deputy sheriff will then serve that notice on all unlawful occupants of the property, returning possession of the property to you.

At your request, the deputy who served the notice can stand by at the property while you (or your agent) change the locks and remove the personal property of the