



ADAMS COUNTY PROSECUTING ATTORNEY Aaron E. Haslam

May 2, 2024

Honorable Dave Yost
Ohio Attorney General
Opinions Section
OpinionsRequest@OhioAttorneyGeneral.gov
Sent via email only

Re: Squatting

Dear Honorable Attorney General Yost,

Lately, we have experienced a rising concern about the possibility of residential “squatting” in our County and throughout the State of Ohio. For purposes of this request, “squatting” can be described as follows:

“The act of a person who is neither the owner nor lawful tenant of a residential property, who without the permission of the owner nor lawful tenant, physically enters the residence and continues to wrongfully occupy the residence to the exclusion of the owner or owner’s lawful tenant.”

So that I may properly advise county law enforcement officials, I am requesting your formal opinion on the following matters:

1. Is “squatting” as described above, a criminal offense under Ohio laws?
2. At the request of the owner or lawful tenant, may a law enforcement officer forcibly remove a person who without permission or consent from the owner or lawful tenant has physically invaded and continues to occupy the residence of the owner or lawful tenant (as described above)?
3. Under the circumstances described above, is a court order required before a law enforcement officer may remove the person or persons unlawfully occupying another’s residence?
4. Does a law enforcement officer who, at the owner or lawful tenant’s request, physically removes a person who has without permission or consent entered and occupies the residence of the owner or lawful tenant, incur liability for such action?



Thank you for your assistance in this matter and do not hesitate to reach out to me if you have any additional questions or require any additional information.

Sincerely,

Aaron E. Haslam
Adams County Prosecuting Attorney

