



In an effort to mitigate the ongoing misuse of the state's adverse possession law, Hillsborough County Property Appraiser Bob Henriquez and his staff is now issuing written warnings to anyone filing claims to properties within the county.

"It's our office's duty to protect the interest of legitimate property owners, as well as unsuspecting citizens who may be duped into moving into a home illegally," Henriquez said. "We hope this warning letter will make it clear there are serious legal ramifications for those attempting to use our state's adverse possession law under false pretenses."

Adverse possession laws date back centuries. Their original purpose was to allow individuals to claim abandoned lands and begin using them for productive purposes. The intent was to put these properties back to good use, return them to the tax roll and allow the individual to one day take permanent and legal ownership of the property.

Florida's adverse possession law can be found in Florida Statutes 95.16 and 95.18 and dates back to the 1800s. In most instances, an adverse possession claim in Florida can be filed without cost at any of the state's county property appraiser's office. While the law's original purpose has not changed, some unscrupulous persons have been filing adverse possession claims on properties not abandoned by the owner or lender.

As a result of this continuing problem, Henriquez and his staff are now issuing a written "Fraud Alert" to any individual filing an adverse possession claim at any HCPA office. The warning letter is shown below.



WARNING FRAUD ALERT

A BRIEF EXPLANATION OF FLORIDA'S ADVERSE POSSESSION LAW

The law of adverse possession is commonly misunderstood and recently has been used to take advantage of Hillsborough County citizens. Here are some basics everyone should know about adverse possession:

- ✓ **Even if you file an adverse possession claim on a piece of property, if you occupy that property, you are trespassing, possibly breaking and entering, and are subject to being arrested.**
- ✓ Filing an adverse possession application with the county property appraiser does **not** make you the owner of the property and does **not** give you any ownership interest in the property.
- ✓ You must pay the property taxes on the property you are claiming under adverse possession and **if the true owner has paid the taxes, your adverse possession claim is invalid.**
- ✓ *The true owner of the property may evict you from the property at any time and take legal action against you.*
- ✓ If you are renting a home, check the public records to make sure the person you are renting from actually owns the home. An adverse possession claim does **not** make that person the owner of the property, and as a renter, you may be evicted by the true owner at any time.
- ✓ Florida's adverse possession law can be found in Florida Statutes 95.16 and 95.18.

All applications are forwarded to the Hillsborough County Sheriff's Office.

ADVERTENCIA

ALERTA DE FRAUDE

UNA BREVE EXPLICACION DE LA LEY POSESIÓN ADVERSA ADQUISITIVA DE DOMINIO EN FLORIDA

La ley de posesión adversa adquisitiva de dominio es comúnmente mal interpretada y recientemente se ha utilizado para tomar ventaja de los ciudadanos del Condado de Hillsborough. Aquí hay algunos puntos básicos que todo el mundo debería saber sobre posesión adversa adquisitiva de dominio:

- ✓ **Incluso si usted presenta un reclamo de posesión adversa adquisitiva de dominio de una propiedad, *ocupa la propiedad, usted está invadiéndola y posiblemente un allanamiento de morada, y por esta razón está sujeto a ser arrestado.***
- ✓ Presentar una aplicación de posesión adversa adquisitiva de dominio con el tasador de propiedades del condado, **no** lo hace el dueño de la propiedad, y **no** le otorga ningún derecho sobre esta.
- ✓ Usted debe pagar los impuestos de la propiedad que está reclamando bajo posesión adversa adquisitiva de dominio, y si el verdadero dueño de la propiedad ha pagado los impuestos, entonces su reclamo ya no es válido.
- ✓ *El verdadero dueño de la propiedad puede desalojarlo en cualquier momento, y tomar acción legal en su contra.*
- ✓ Si usted está alquilando una casa, compruebe los registros públicos para asegurarse que la persona que le alquila posee en realidad la propiedad. Un reclamo de posesión adversa adquisitiva de dominio **no** hace a esa persona dueño de la propiedad, y como inquilino usted puede ser desalojado por el verdadero dueño en cualquier momento.
- ✓ La Ley de Posesión Adversa Adquisitiva de Dominio en Florida se encuentra en los Estatutos de la Florida 95.16 y 95.18.

Todas las solicitudes se remitirán a la oficina del Alguacil del Condado de Hillsborough.