

Understanding Adverse Possession



Have you been advised that you can take ownership of a home by simply paying the annual property tax bill?

The Pasco County Property Appraiser's Office and Tax Collector's Office are seeing an increase in adverse possession claim attempts based on misinformation and a lack of understanding of how the law actually works.

Florida property owners are well-protected by FS 95.12. If you are considering investing your money in an adverse possession claim, you should understand the difficulty of the standards you must meet and that adverse possession is a (minimum) seven year process that requires a court ruling in your favor for a change of ownership. Monies you invest in this process may be forfeited if you do not have legitimate claim to the property.

Simply paying a tax bill for a residential structure you do not hold title to and attempting to occupy that dwelling may result in criminal charges against you.



Mike Wells
Property Appraiser
Proudly Serving Pasco County, Florida

Adverse Possession without color of title

Before filing Florida Department of Revenue form DR-452 to attempt to establish Adverse Possession Without Color of Title, you should know:

- For residential structures, a person who occupies or attempts to occupy a residential structure solely by claim of adverse possession prior to making a return, commits trespass under s. 810.08, F.S
- A person who occupies or attempts to occupy a residential structure solely by claim of adverse possession and offers the property for lease to another commits theft under s. 812.014, F.S.
- A tax payment made by the owner of record before April 1 the year after the taxes were assessed will have priority over a payment made by the claimant. An adverse possession claim will be removed if the owner of record or tax collector furnishes a receipt to the property appraiser showing payment of taxes by the owner of record, during the period of the claim. (S. 95.18, F.S.)

**Put simply, ALL tax payments you make associated with this residential structure will be lost in the event the owner of record makes payment at any time during the seven-year period.*

If you suspect a home is being occupied fraudulently or without the knowledge of its rightful owner, contact our office today at 727-847-8151 or pascopaform@pascopa.com.