

California Squatters Rights: Adverse Possession and Removing Occupants

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/california-squatters-rights>

California makes adverse possession hard to win: the occupant needs five years of open, continuous possession and must pay the property taxes for that whole time. Removing someone who claims to be a tenant usually still goes through the courts.

Key points

- Adverse possession takes five years of open, continuous and hostile possession.
- The occupant must also have paid all property taxes assessed on the land during those five years.
- Police may treat a recent entry without permission as trespass, but once an occupant claims to be a tenant, owners usually need an unlawful detainer case to remove them.

California at a glance

Rule	California	Law
Adverse possession period	Adverse possession takes five years of open, continuous and hostile possession.	Code of Civil Procedure section 325
Paying property taxes	The occupant must also have paid all property taxes assessed on the land during those five years.	Code of Civil Procedure section 325
How owners remove occupants	Police may treat a recent entry without permission as trespass, but once an occupant claims to be a tenant, owners usually need an unlawful detainer case to remove them.	Penal Code (trespass) and Code of Civil Procedure (unlawful detainer)

Mistakes to avoid

- Waiting months to act after someone moves in.
- Changing locks or removing belongings yourself.
- Accepting rent or utility payments from the occupant.
- Leaving a vacant property unchecked for long stretches.

Verify current law

Laws named in this summary:

- Code of Civil Procedure section 325
- Penal Code (trespass) and Code of Civil Procedure (unlawful detainer)
- Code of Civil Procedure sections 1159 to 1179a
- Civil Code section 789.3

Official sources:

- California Legislative Information (codes): <https://leginfo.legislature.ca.gov/faces/codes.xhtml>
- California Courts Self-Help Guide: Eviction: <https://selfhelp.courts.ca.gov/eviction>

General information, not legal advice. Check current law and talk to a California attorney before you act. Last reviewed October 29, 2026.