

Virginia 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/virginia-squatters-rights>

Virginia's adverse possession period is 15 years. Owners who find an unauthorized occupant can use the courts, including an unlawful detainer case, and should not try to remove the person by force.

Key points

- An action to recover land generally must be brought within 15 years, so adverse possession requires 15 years of actual, hostile, exclusive and continuous possession.
- An owner can file an unlawful detainer case in general district court, and police may treat a person who was never a tenant as a trespasser.

Virginia at a glance

Rule	Virginia	Law
Adverse possession period	An action to recover land generally must be brought within 15 years, so adverse possession requires 15 years of actual, hostile, exclusive and continuous possession.	Va. Code 8.01-236
How owners remove occupants	An owner can file an unlawful detainer case in general district court, and police may treat a person who was never a tenant as a trespasser.	Code of Virginia, Title 8.01 and trespass law

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:

- Va. Code 8.01-236
- Code of Virginia, Title 8.01 and trespass law
- Code of Virginia, Title 8.01 (unlawful detainer)
- Virginia Residential Landlord and Tenant Act

Official sources:

- Code of Virginia (Virginia Legislative Information System):
<https://law.lis.virginia.gov/vacode/title55.1/chapter12/>
- Virginia Department of Housing and Community Development: tenant rights statement:
<https://www.dhcd.virginia.gov/>
- Virginia's Judicial System: <https://www.vacourts.gov/>

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