

Your Home and the Law is authored by the attorneys at JacksonWhite Attorneys at Law and addresses legal issues that arise for renters, homeowners and neighborhoods. **Have a question related to your home or community?** Send your questions to firm@jacksonwhitelaw.com.

Q: If a trespasser came on to my property what should I do to get them to leave? What if the person refuses to leave? What are the penalties for trespass?

A: “The first step to be taken by the owner or someone who has lawful authority is to make “A reasonable request to leave”. This can be as simple as asking the person to leave the property immediately. This request, or even a “notice prohibiting entry” is all it takes under Arizona Law to force someone to leave your property. If a reasonable request to leave has been made, and the trespasser has not left the property, then the next step can be making a phone call to the police. If the person remains on the property by the time the police arrive, he or she will likely be arrested for trespass and removed from the property.

Criminal trespass in Arizona can be charged either as a misdemeanor or a felony. This charge is dependent on the circumstances and gravity of the case. The penalties of criminal trespass can include probation and jail. If the offense is charged as a felony, prison time could be included. At the time, entering or remaining unlawfully on someone else’s property may not seem as serious as other offenses, but when you consider the potential consequences under Arizona law, it is can very quickly become a serious offense.”

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