WEST VIRGINIA CODE: §55-3C-2

§55-3C-2. Squatters defined: squatters not tenants; squatting constitutes criminal trespass; petition and eviction not appropriate remedies for squatters; remedy is arrest for trespass.

(a) “Squatter” means a person unlawfully occupying a dwelling unit or other structure who is not entitled under a rental or lease agreement or who is not authorized by the tenant or owner to occupy that dwelling unit or structure. “Squatter” does not include a tenant who holds over in a periodic tenancy as described in §37-6-5 of this code, or an owner.

(b) “Squatting” means the act of being a squatter. Squatting is synonymous with trespass, and is a criminal act under §61-3B-2 or §61-3B-3 of this Code.

(c) Squatters are not considered tenants for purposes of this code and are not entitled to eviction proceedings afforded to lawful tenants. A Court of this state shall not require the use of eviction, or a similar procedure such as those found under §55-3A-1, *et seq*. or §55-3B-1, *et seq*. of this Code, by an owner in any instance involving the removal of a squatter from possession of a property.

WV Legislature