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Navigating New Camping Terrain: Grants Pass v. Johnson and Its Impacts on Real Estate

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On June 28, 2024, in *Grants Pass v. Johnson*, the U.S. Supreme Court ruled that cities can criminally prosecute people experiencing homelessness for sleeping and camping on public property. 144 S. Ct. 2202 (2024). Before this ruling, jurisdictions across the country had differed as to whether a municipality could enforce criminal ordinances penalizing public camping when the city did not have enough beds for its homeless population.

The subject of public camping ordinances has been the source of ongoing policy debates. Some people advocate enforcing such ordinances to address perceived safety issues and infringement of their own rights to enjoy public spaces. Others view these ordinances as worsening the cycle of homelessness, pointing to negative impacts of criminal prosecution on individuals, such as the loss of personal property and the stigma of a criminal record, which in turn can make it more challenging to find housing and gainful employment.

This ruling creates a pivotal shift across the country in the legal landscape surrounding municipal regulation of people experiencing homelessness. Although it remains to be seen how municipalities will respond, their responses will inevitably have direct implications for urban development and real estate professionals.

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