

Causes of Action



- **Trespassing**
 - Intrusion of people or objects onto or over one's land without consent of the owner or occupant
 - air space to height to permit enjoyable use of property
 - removing or adding soil or trees
 - notices or fences not required
 - compensation and legal fees included
 - is PROPERTY only and not enjoyment of that property (which is nuisance)
 - relates to environment through deposit of ash, soot, etc. that comes on the land that is a direct harm and not consequential harm from the action

- **Trespassing Case**
 - Kerr v. Revelstoke Building Materials (MOTEL)
 - smoke, ash, etc forced hotel to close