STATE OF NEW YORK

1170

2025-2026 Regular Sessions

IN SENATE

January 8, 2025

Introduced by Sen. MATTERA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the real property actions and proceedings law, in relation to excluding certain persons from the definition of "occupant" for the purposes of unlawful eviction

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 768 of the real property actions and proceedings law is amended by adding a new subdivision 3 to read as follows:

3. Squatter and trespasser excluded. For the purposes of this section, an "occupant" shall not include a person who, not having entered a lease or license for such dwelling with the rightful owner, enters into a dwelling unit, onto real property or otherwise settles on land or occupies real property without title, right, permission of the rightful owner, or payment of rent accepted by the rightful owner.

§ 2. This act shall take effect immediately and shall apply to actions and proceedings commenced on or after such effective date.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD03681-01-5