

# STATE OF NEW YORK

9772

## IN ASSEMBLY

April 9, 2024

Introduced by M. of A. KIM, LEE, ROZIC -- read once and referred to the  
Committee on Housing

AN ACT to amend the real property actions and proceedings law, in  
relation to clarifying the status of squatters for purposes of removal  
proceedings

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

1 Section 1. The opening paragraph of section 711 of the real property  
2 actions and proceedings law, as amended by section 12 of part M of chap-  
3 ter 36 of the laws of 2019, is amended to read as follows:

4 A tenant shall include an occupant of one or more rooms in a rooming  
5 house or a resident, not including a transient occupant, of one or more  
6 rooms in a hotel who has been in possession for thirty consecutive days  
7 or longer. No tenant or lawful occupant of a dwelling or housing accom-  
8 modation shall be removed from possession except in a special proceed-  
9 ing. A tenant shall not include a squatter. A squatter is a person who  
10 enters onto real property or enters a building with the intent of squat-  
11 ting therein, and resides without title, right or permission of the  
12 owner or owner's agent or a person entitled to possession. A squatter is  
13 not someone who entered the property with the permission of the owner,  
14 owner's agent or a person entitled to possession where such permission  
15 was revoked. A special proceeding may be maintained under this article  
16 upon the following grounds:

17 § 2. This act shall take effect immediately.

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

LBD15136-02-4