STATE OF NEW YORK

9199

IN SENATE

May 3, 2024

Introduced by Sen. LANZA -- 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 the removal of unauthorized persons from residential real property

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

Section 1. The real property actions and proceedings law is amended by adding a new section 758 to read as follows:

§ 758. Removing unauthorized persons from residential real property. A property owner who has previously asked an unauthorized person or persons to leave their property may request from a police officer, as defined in subdivision thirty-four of section 1.20 of the criminal procedure law, the immediate removal of such person or persons who are unlawfully occupying such residential real property if such person or persons is not a current or former tenant pursuant to a written or oral rental agreement authorized by such property owner. Any person wrongfully removed pursuant to this section may bring a civil cause of action for costs and damages incurred. Such damages may include fair market rent, court costs, reasonable attorney fees and to be restored to possession of such real property.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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