

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 Assembly, 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15 was revoked.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.

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