# 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:**

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

A tenant shall include an occupant of one or more rooms in a rooming house or a resident, not including a transient occupant, of one or more rooms in a hotel who has been in possession for thirty consecutive days or longer. No tenant or lawful occupant of a dwelling or housing accommodation shall be removed from possession except in a special proceeding. **A tenant shall not include a squatter. A squatter is a person who enters onto real property or enters a building with the intent of squatting therein, and resides without title, right or permission of the owner or owner's agent or a person entitled to possession. A squatter is not someone who entered the property with the permission of the owner, owner's agent or a person entitled to possession where such permission was revoked.** A special proceeding may be maintained under this article upon the following grounds:

§ 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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