



NEW YORK STATE SENATOR

John C. Liu

Legislators announce language defining squatter in state housing law included in FY25 state budget

JOHN C. LIU April 23, 2024

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Albany, NY – State Senator John Liu, Assembly Member Ron Kim and Queens legislators today announced that the final FY2025 state budget includes language that defines squatter in state housing law. The language was derived from legislation introduced by Senator Liu

and Assembly Member Ron Kim, [S8996/ A9772](#), following recent reports of squatters who take over private property.

The definition updates New York State real property law to read that “a tenant shall not include a squatter,” and further define squatter as “a person who enters or intrudes upon real property without the permission of the person entitled to possession, and continues to occupy the property without title, right or permission of the owner or owner’s agent or a person entitled to possession.”

Including this definition in real property law will help distinguish legal renters from those who unlawfully intrude or take over property. It establishes that squatters are not tenants and therefore not subject to tenant rights or protections after 30 days.

State Senator John Liu stated, “It was important that we acted with urgency to send a strong message to squatters who take over private homes that they are not welcome in our community. Scam artists who intrude on others’ homes should not have rights as tenants in state housing law, and this inclusion in the budget codifies that in simple, straightforward language. Defining squatter is an important step forward, and we will continue examining even stronger measures to protect homeowners without inadvertently putting renters at risk.”

State Assembly Member Ron Kim stated, “Our state needed stronger protections for law abiding property owners who are being victimized by squatters. Our new law defines these terms more precisely. Any occupant who unlawfully resides in a property owner's home will be more easily removed. I want to thank colleagues in the legislature for moving expeditiously on this new law”

State Assembly Member Ed Braunstein stated, “New York State homeowners have been put on edge by the recent reports of people returning to their properties and finding squatters, only to discover that the squatters cannot be removed without a lengthy and costly eviction proceeding. Trespassing individuals in these situations are abusing a law meant to protect lawful tenants and they absolutely should not be afforded the same rights and protections. I was proud to co-sponsor this bill, which sought to close this loophole and protect New York homeowners from these unlawful opportunists. I am pleased that this clarifying language was included in this year’s state budget.”

State Assembly Member Nily Rozic stated, “Today signifies an important step forward as we include language defining 'squatters' in the state budget. This measure will help safeguard property rights and ensure the well-being of our communities. Thank you to my colleagues for their collective efforts to address squatting issues across New York.”

State Senator Toby Ann Stavisky stated, “I want to thank my colleagues in the legislature for supporting this bill, which I cosponsored. A problem was brought to our attention, and we got positive results.”

State Senator Leroy Comrie stated, “The state legislature took a hard stance against squatters who twist existing loopholes through acts that would, by any other circumstance, constitute theft. This change to the law is desperately needed, amongst our Queens residents, especially our seniors and homeowners, who have been living in fear and confusion as to how the law could possibly allow for such abuses. I am proud to stand with my colleagues to resolve this matter and hope for this bill’s swift passage.”

State Senator Roxanne J Persaud stated, “Squatters have jeopardized the livelihood of homeowners far too long. By passing this legislation in the budget, the rights and protections of legal renters will be clearly defined and those who take advantage will be legally held

accountable. This law seeks to protect the hard earned assets of property owners and allows them to further secure their economic stability."

State Assembly Member Grace Lee stated, "In this year's budget, we are making it clear that if you are illegally occupying someone's property, you are a squatter, not a tenant. Squatters do not have the same rights and protections as lawful tenants and by clarifying this distinction, we can better protect small landlords in our communities. I was proud to be a prime co-sponsor for this bill and to fight with my colleagues to get it passed in this year's budget."

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