



Legislation Details (With Text)

File #: Res 0458-2024 **Version:** * **Name:** Clarifying the definition of "tenant" to exclude squatters and making squatting a criminal trespass in the third degree (S.8995/A.9897).

Type: Resolution **Status:** Committee

In control: Committee on Housing and Buildings

On agenda: 6/6/2024

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Title: Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.8995/A.9897, in relation to clarifying the definition of "tenant" to exclude squatters and making squatting a criminal trespass in the third degree.

Sponsors:

Indexes:

Attachments: 1. Res. No. 458, 2. June 6, 2024 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 6-6-24

Date	Ver.	Action By	Action	Result
6/6/2024	*	City Council	Introduced by Council	
6/6/2024	*	City Council	Referred to Comm by Council	

Res. No. 458

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.8995/A.9897, in relation to clarifying the definition of "tenant" to exclude squatters and making squatting a criminal trespass in the third degree.

By Council Members Zhuang, Riley, Menin, Yeger, Hanks, Vernikov, Salaam and Lee

Whereas, Squatting is commonly defined as the act of occupying and living in a property without the property owner’s prior permission or knowledge; and

Whereas, In 2024, news outlets have highlighted squatter-related incidents in all five boroughs, including incidents in which squatters were alleged to be endangering public safety, causing a fire and other property damage, engaging in criminal activities, and causing community distress; and

Whereas, In April 2024, two suspected squatters were charged with the murder of a property owner in Manhattan; and

Whereas, The reporting around squatters has raised concerns about certain New York State and New

York City laws that make it difficult for property owners to remove squatters who falsely claim to be lawful tenants; and

Whereas, Because of these laws, homeowners are often forced to go through Housing Court to reclaim their property from squatters; and

Whereas, The Housing Court system in New York State and New York City has long been understood to be overburdened and under-resourced, with a substantial backlog of cases and understaffed legal service providers resulting in significantly delayed cases that can continue for years; and

Whereas, These extensive court proceedings can cost property owners thousands of dollars, with continued squatter occupancy of a property also creating additional financial and legal issues, such as forcing an owner to continue to provide utility services and conduct upkeep and maintenance on a property; and

Whereas, Squatters are causing problems related to personal safety, quality of life, and financial autonomy for community residents and small homeowners; and

Whereas, S.8995, sponsored by State Senator Jessica Scarcella-Spanton and presently in the State Senate Committee on Housing, Construction, and Community Development, and companion bill A.9897, sponsored by State Assembly Member Michael Tannousis and presently in the State Assembly Committee on Housing, would exclude squatters from tenant protections, extend the time period for becoming a tenant from 30 days to 60 days of possession, add squatting to the definition of criminal trespass in the third degree, and clarify that those who have entered into a bona fide lease agreement with a rightful owner of a property are those who would be protected from illegal evictions; and

Whereas, This legislation would add clarity and recourse for NYC small homeowners to protect their property from squatters; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.8995/A.9897, in relation to clarifying the definition of "tenant" to exclude squatters and making squatting a criminal trespass in the third degree.

CCK
LS #16688
5/29/2024