



NEW YORK STATE SENATOR

Mario R. Mattera

Senator Mattera Takes Aggressive Action To Combat Squatting Epidemic

MARIO R. MATTERA March 26, 2024

| ISSUE: **SQUATTING, PROPERTY RIGHTS, PUBLIC SAFETY, HOUSING**



To combat the ongoing and pernicious practice of squatting in New York State, Senator Mario R. Mattera (2nd Senate District) has introduced a groundbreaking set of bills aimed at protecting legal homeowners. This package represents one of the most aggressive efforts to address the disregard for property owners frequently highlighted in media stories.

“For many, owning a home is the American Dream, but for too many, this dream is turning into a nightmare due to the squatting epidemic. This legislative package is designed to ensure families can not only own but also protect their homes. The aggressive measures I've introduced aim to safeguard homeowners by facilitating the swift removal of squatters and equipping the police with the necessary tools to assist victims, thereby restoring power to residents compromised by our current broken system,” stated Senator Mattera.

Senator Mattera's robust four-part proposal includes legislation ([S.8867](#)) that would enable law enforcement to immediately evict individuals from residential properties swiftly, based on a homeowner's sworn complaint and without court involvement of any kind. This approach mirrors a successful Florida bill that garnered broad and unanimous bipartisan support and is awaiting Governor Ron DeSantis's signature, offering a rapid solution for homeowners to reclaim their property without court intervention.

To balance the aggressive stance, Senator Mattera's legislation includes substantial civil protections for individuals wrongfully removed, including potential triple damages, restoration of possession, and attorney fees for the aggrieved party.

“While protections are necessary against malicious actions, it's crucial that we decisively protect our legal homeowners who have suffered due to the current broken system. We are committed to reversing the trend that favors squatters and trespassers, thereby reinstating fundamental rights to our state's homeowners,” added Senator Mattera.

The surge in squatting reflects the strained housing market and the cumbersome, costly eviction process. Squatters exploit loopholes in state law, undermining neighborhood safety and property rights. The Mattera proposal emphasizes the paramount real property rights of exclusion and eviction without costly court processes, which currently fail to deter unauthorized entry, squatting and property damage.

Recent alarming events have illuminated the critical need for legislative intervention. A New York property owner faced arrest after squatters illegitimately took over her deceased parents' home, showcasing the absurdity and injustice within the current system. The tragic death of Nadia Vitels, found beaten and stuffed in a suitcase in her apartment by squatters, is a stark and horrifying testament to the dangers posed by the current state of law. And in Patchogue, a family's homecoming turned into a nightmare as squatters claimed their dwelling during a short absence.

Furthermore, a brazen pair of squatters, driving a Porsche and armed with a fake lease signed with a deceased owner's forged signature, seized a Long Island home, highlighting the sophisticated deceit squatting can entail.

Senator Mattera's Squatting Package also includes:

- S8866: Redefines the definition of occupant to exclude squatters and trespassers from the current statute, which currently prevents self-help evictions of occupants.
- S8868: Excludes squatters and trespassers from the current squatter-friendly remedy for self-help evictions.
- S8669: Clarifies that criminal trespass in the third degree encompasses squatting.

Senator Mattera's war-on-squatting initiative prioritizes the rights of New York homeowners over those who flout legal ownership, marking a significant step forward in protecting property rights.

Please [click here](#) to view Senator Mattera's comments at a recent press conference.

Please [click here](#) to join Senator Mattera's efforts to end the squatting epidemic in New York State.

RELATED LEGISLATION

2023-S8866

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Excludes certain persons from the definition of occupant for the purposes of unlawful eviction

March 22, 2024

In Senate Committee [Housing, Construction and Community Development](#)

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Do you support this bill?

2023-S8867

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Provides for a limited alternative remedy to remove unauthorized persons from residential real property

March 22, 2024

In Senate Committee [Housing, Construction and Community Development](#)

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Do you support this bill?

2023-S8868

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Provides for an exclusion for treble damages in actions for forcible or unlawful entry or detainer

March 22, 2024

In Senate Committee [Judiciary](#)

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Do you support this bill?

2023-S8869

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to criminal trespass in the third degree

March 22, 2024

In Senate Committee [Codes](#)

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Do you support this bill?