

James Nolan

Minority Whip, Legislator, 15th District
Chair, Committee on Veterans, Seniors & Youth



Committee Assignments:
Labor & Human Rights
Legislation
Parks & Environment

To: Vedat Gashi, Chairwoman of the Board of Legislators
Sunday Vanderberg, Clerk of the Board of Legislators
Colin Smith, Chair of the Legislation Committee
Shanae Williams, Chair of the Housing and Planning Committee

From: James Nolan, Legislator, District 15

Date: April 23, 2024

Re: *Resolution by The County Legislature of Westchester Urging the Adoption of State Senate Bill S8867 and State Assembly Bill A9736*

Attached is a legislative resolution by The County Legislature of Westchester Urging the Adoption of State Senate Bill S8867 and State Assembly Bill A9736 to Restore and Protect Homeowners' Private Property Rights While Preventing Unlawful Squatters from Illegally Occupying and Stealing People's Homes.

Please refer to the Legislation Committee and the Housing and Planning Committee.

A RESOLUTION BY THE COUNTY LEGISLATURE OF WESTCHESTER URGING THE ADOPTION OF STATE SENATE BILL S8867 AND STATE ASSEMBLY BILL A9736 TO RESTORE AND PROTECT HOMEOWNERS' PRIVATE PROPERTY RIGHTS WHILE PREVENTING UNLAWFUL SQUATTERS FROM ILLEGALLY OCCUPYING AND STEALING PEOPLE'S HOMES.

WHEREAS, STATE SENATE AND ASSEMBLY PRESENTLY HAVE BILLS S8867 AND A9736 "PROVIDES FOR A LIMITED ALTERNATIVE REMEDY TO REMOVE UNAUTHORIZED PERSONS FROM RESIDENTIAL REAL PROPERTY" BEFORE THEM; AND

WHEREAS, THESE BILLS, IF PASSED, WOULD, HELP RESTORE AND ENFORCE HOMEOWNERS' RIGHTS WHILE PREVENTING UNLAWFUL SQUATTERS FROM ILLEGALLY STEALING PEOPLE'S HOMES; AND

WHEREAS, THERE HAVE BEEN REPORTED CASES OF HOMEOWNERS COMING HOME TO FIND STRANGERS "SQUATTING" IN THEIR HOMES, ASKING THE SQUATTERS TO LEAVE, BEING IGNORED BY THE SQUATTERS, AND CALLING THE POLICE ONLY TO HAVE THE POLICE TELL THEM THAT THERE IS NOTHING THE POLICE CAN DO; AND

WHEREAS, IN SOME CASES, THE SQUATTERS HAVE BECOME SO EMBOLDENED BY THE LAX STATE AND FEDERAL LAWS AND POLICIES THAT THEY HAVE THREATENED AND EVEN ASSAULTED THE LAWFUL HOMEOWNERS;

WHEREAS, THIEVES HAVE CALLED THE POLICE AND INSTRUCTED THE POLICE TO ARREST LAWFUL HOMEOWNERS AND SHOCKINGLY, DUE TO THESE GLARING LOOPHOLES IN THE LAW THE POLICE HAVE ARRESTED THE LAWFUL HOMEOWNER AND TAKEN THEM TO JAIL WHILE LEAVING THE ADMITTEDLY UNLAWFUL SQUATTER TO SIT COMFORTABLY IN THE OWNER'S HOME;

WHEREAS, "FOR MANY, OWNING A HOME IS THE AMERICAN DREAM, BUT THE UNFORTUNATE REALITY IS THAT IT IS BECOMING A NIGHTMARE FOR TOO MANY DUE TO THE EPIDEMIC OF SQUATTING. WITH THIS PACKAGE MAKING GREAT EFFORTS TO ENSURE FAMILIES CAN OWN AND BUILD THEIR HOMES, IT IS VITAL THAT WE ALSO GIVE THEM THE ABILITY TO PROTECT THEM. THE AGGRESSIVE LEGISLATION I HAVE INTRODUCED WILL PROTECT HOMEOWNERS BY PROVIDING THEM WITH A MECHANISM TO QUICKLY REMOVE SQUATTERS AND GIVING THE POLICE THE TOOLS THEY NEED TO ASSIST VICTIMS. THIS WILL GIVE POWER BACK TO OUR RESIDENTS WHO ARE BEING REPEATEDLY ABUSED BY THE CURRENT BROKEN SYSTEM," SAID SENATOR MARIO MATTERA THE SPONSOR OF S-8867

WHEREAS, ENACTING S8867 AND A9736 WOULD PROTECT AND RESTORE FUNDAMENTAL PRIVATE PROPERTY RIGHTS WHILE PREVENTING AND DISCOURAGING THE SQUATTERS' UNLAWFUL, DANGEROUS, AND OUTRAGEOUS CONDUCT; AND

WHEREAS, THIS BILL WOULD ALLOW FOR LOCAL POLICE TO ENSURE SAFE, CONSISTENT AND APPROPRIATE RESIDENTIAL DEVELOPMENT TO PRESERVE NEIGHBORHOODS RESULTING IN AN INCREASE IN PROPERTY VALUES AND EXPANDING THE TAX BASE; AND

WHEREAS, WESTCHESTER, IS HOME TO MANY RESIDENTIAL PROPERTIES THAT MAY, FROM TIME TO TIME, BE OCCUPIED OR UNOCCUPIED, SUCH THAT THE HOMEOWNERS DESERVE TO HAVE THEIR VALUABLE PROPERTY RIGHTS PROTECTED THROUGHOUT THE COUNTY AT ALL TIMES; AND

WHEREAS, THIS IS NOT A POLITICAL ISSUE. IT IS A NONPARTISAN PROPERTY RIGHTS, QUALITY OF LIFE, AND SELF-GOVERNANCE ISSUE AS WE DESERVE TO CONTINUE TO FEEL SAFE AND COMFORTABLE IN OUR OWN HOMES AS OPPOSED TO LIVING IN FEAR OF UNLAWFUL SQUATTERS TAKING OVER EVERY TIME WE LEAVE OUR HOMES; AND

WHEREAS, THESE BILLS MUST BE ADOPTED AS THE SQUATTERS ENDANGER OUR RESIDENTS AND COMMUNITIES, DEVALUE OUR HOMES, AND DEPRIVE US OF THE ABILITY TO PROTECT OURSELVES, OUR FAMILIES, AND OUR NEIGHBORHOODS;

NOW THEREFORE BE IT RESOLVED, THAT THE WESTCHESTER COUNTY BOARD OF LEGISLATORS URGES THE ADOPTION OF STATE SENATE BILL S8867 AND STATE ASSEMBLY BILL A9736 TO RESTORE AND PROTECT HOMEOWNERS' PRIVATE PROPERTY RIGHTS WHILE PREVENTING UNLAWFUL SQUATTERS FROM ILLEGALLY OCCUPYING AND STEALING PEOPLE'S HOMES; AND

BE IT FURTHER RESOLVED, THAT THE CLERK OF THE BOARD OF LEGISLATORS IS DIRECTED TO SEND A COPY OF THIS RESOLUTION TO GOVERNOR KATHY HOCHUL, SENATE MAJORITY LEADER ANDREA STEWART- COUSINS, ASSEMBLY SPEAKER CARL HEASTIE, AND THE MEMBERS OF THE WESTCHESTER COUNTY STATE DELEGATION.