

New York Squatters Rights: Adverse Possession and Removing Occupants

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/new-york-squatters-rights>

New York requires ten years of possession for adverse possession and a reasonable basis for believing the property is the claimant's. A 2024 change made clear that squatters are not tenants, which lets police treat them as trespassers.

Key points

- Adverse possession requires ten years of open, continuous, exclusive and hostile possession.
- A squatter, meaning someone who entered without permission and stays without any right, is not a tenant under the eviction statute, so police can treat them as trespassers instead of sending the owner to housing court.
- The claimant generally must also have a reasonable basis to believe the property belongs to them, a requirement known as claim of right.

New York at a glance

Rule	New York	Law
Adverse possession period	Adverse possession requires ten years of open, continuous, exclusive and hostile possession.	Real Property Actions and Proceedings Law section 501 and Civil Practice Law and Rules section 212
Claim under a document (color of title)	The claimant generally must also have a reasonable basis to believe the property belongs to them, a requirement known as claim of right.	Real Property Actions and Proceedings Law (adverse possession, as amended in 2008)
How owners remove occupants	A squatter, meaning someone who entered without permission and stays without any right, is not a tenant under the eviction statute, so police can treat them as trespassers instead of sending the owner to housing court.	Real Property Actions and Proceedings Law section 711 (as amended in 2024)

Mistakes to avoid

- Waiting months to act after someone moves in.
- Changing locks or removing belongings yourself.
- Accepting rent or utility payments from the occupant.
- Leaving a vacant property unchecked for long stretches.

Verify current law

Laws named in this summary:

- Real Property Actions and Proceedings Law section 501 and Civil Practice Law and Rules section 212
- Real Property Actions and Proceedings Law (adverse possession, as amended in 2008)
- Real Property Actions and Proceedings Law section 711 (as amended in 2024)
- Real Property Actions and Proceedings Law Article 7
- Real Property Actions and Proceedings Law section 768

Official sources:

- New York State Senate: Consolidated Laws of New York:
<https://www.nysenate.gov/legislation/laws/CONSOLIDATED>
- New York State Unified Court System: Housing Court and evictions:
<https://www.nycourts.gov/courts/nyc/housing/>

General information, not legal advice. Check current law and talk to a New York attorney before you act. Last reviewed October 29, 2026.