
Testimony in Opposition to H 8066
House Judiciary Committee
Submitted by Samuel Cramer
March 18, 2026

Dear Chairperson and Members of the Committee,

The Rhode Island Center for Justice submits this written testimony in opposition to passage of H 8066. The Center for Justice is one of two organizations in the state that represents tenants in substantial numbers. Each year we represent over 1,000 Rhode Islanders in court proceedings and advise thousands more about their rights under state and federal law. Through this work, we have become intimately familiar with the struggles faced by Rhode Islanders as they navigate a difficult housing market.

From the perspective of a law firm that practices landlord tenant law it is difficult to understand what this bill accomplishes. To the extent this bill creates a new category of trespasser, it will lead to significant confusion that could create severe and unintended consequences for people who already have due process protections under state law as tenants at sufferance. Alternatively, it may create a definition of squatter that is coextensive with the definition of trespasser already codified in state law at § 11-44-26

For example, it is arguable that, under this bill, a person who owns a home subject to mortgage could be considered a squatter if the mortgagee forecloses. The foreclosed upon owner remains in possession without the authorization of the new owner, is not party to a rental agreement, and is not otherwise authorized by any third party to remain on the premises. This is a classic example of a tenancy at sufferance, a form of estate already governed by § 34-18.1 with process due before the owner removes the occupant from the premises.

Tenancy at sufferance arises out of several other circumstances, many of which would seem to be included in the definition of “squatter.” Take, for instance, the widow of a property owner who was not granted a deed and whose children are devised the house in accordance with the owner’s will. It appears that this widow would become a “squatter” since she is not the owner, is not a tenant pursuant to a rental agreement, and if the children do not authorize her presence at the property, she is not otherwise authorized to live there. She can be removed by the police with no notice and jailed for up to a year. Similarly, I represented a tenant who moved into an apartment with his girlfriend and remained there for years with the knowledge of the owner landlord. When his girlfriend died he remained on the property. He was not a tenant pursuant to a rental

agreement, no longer had the authorization of the tenant to live there (she died), and to the extent the owner no longer authorized his presence at the property, he would be considered a “squatter” under this bill, subject to immediate removal from his home of years and possible jail time with no protection for his personal belongings or time to move. This tenant did move out rather quickly and benefitted from the protections of due process and the representation of counsel.

The point is that there is already a framework in the law, § 34-18.1, which exists outside the protections of the Residential Landlord Tenant Act and guarantees a modicum of process for people who come into possession of property lawfully, but without the current permission or authorization of an interested party and not pursuant to any rental agreement. This form of estate is called a tenancy at sufferance and is somewhat common because of circumstances like those described above, all of which are taken from real life examples.

This bill would create substantial confusion about the rights of the parties in the real estate they own and/or possess. At worst it could lead to sudden conflict in the presence of armed officers who arrive at a person’s home with no notice and ask them to leave immediately under threat of arrest. At best, it would encourage landlord’s to enlist the aid of the police to remove people from property without regard to the due process protections that have been in place for over 150 years at common law. Otherwise, the bill is duplicative of the previously existing proscriptions of 11-44-26(a).

We strongly encourage this committee to not recommend this bill be brought to the floor for a vote. Thank you for your consideration.

Sincerely,

Samuel Cramer, Esq.
1 Empire Street Suite 410
Providence, RI 02903
401-491-1101 (office)
401-216-7298 (cell)
scramer@centerforjustice.org