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October 23, 2025

The Honorable Kathleen C. Hochul  
Governor of the State of New York  
Executive Chamber  
New York State Capitol Building  
Albany, New York 12224

**Re: S 3799 Senator Comrie / A 357 Assembly Member Rajkumar  
ACCESS TO ADJACENT PROPERTY FOR REPAIRS, ETC.**

Dear Governor:

The bill referenced above will be before you for executive action in short order. The New York State Society of Professional Engineers respectfully request **approval** of the legislation. The Society is a professional association representing the interests of all professional engineers (totaling more than 30,000 licensees in New York State) practicing in all disciplines (civil, structural, mechanical, electrical, geological, environmental, etc.) and practicing in all practice settings (private sector consulting, industry, government, and education.)

This legislation will provide guidance to litigants and the court with respect to cases wherein a property owner, or leaseholder, (petitioner) seeks access to a parcel of adjacent property to make repairs, undertake improvements, or to remedy an emergency condition, respecting the petitioner's parcel of property. While current law does provide a mechanism for a property owner or leaseholder to seek entry in circumstances wherein an adjacent property owner has refused to permit access, the law simply lacks sufficient clarity. The aim of this bill is to provide a more robust framework to aid the parties and the court in a determination of these disputes. The bill seeks to assure that the party granted a license will compensate the adjacent property owner fairly for timely access and attendant risks while avoid unjust enrichment in the circumstances. The bill is fair and balanced and the Society urges favorable action.

Respectfully submitted,  
Mark C. Kriss, Esq.  
Legislative and Legal Counsel



cc: Brian K. Mahanna, Esq.  
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