

# HOUSE BILL No. 4463

March 30, 2017, Introduced by Reps. VanSingel, Lucido, Sheppard, Webber, Howrylak and Calley and referred to the Committee on Law and Justice.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
(MCL 600.101 to 600.9947) by adding section 5707.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **SEC. 5707. (1) IF THE COMPLAINT IN A SUMMARY PROCEEDING**  
2 **REQUESTS ONLY THE RECOVERY OF POSSESSION OF THE PREMISES OR BOTH**  
3 **THE RECOVERY OF POSSESSION AND A MONEY JUDGMENT, NOT INCLUDING**  
4 **TAXABLE COSTS, IN AN AMOUNT THAT IS LESS THAN THE APPLICABLE LIMIT**  
5 **OF THE SMALL CLAIMS DIVISION UNDER SECTION 8401, AND IF A PARTY TO**  
6 **THE PROCEEDING IS A LIMITED LIABILITY COMPANY AS DESCRIBED IN**  
7 **SUBSECTION (2), THE PARTY MAY BE REPRESENTED IN THE PROCEEDING BY A**  
8 **MEMBER OR BY A PROPERTY MANAGER OR OTHER AGENT, IF THE MEMBER,**  
9 **PROPERTY MANAGER, OR AGENT HAS DIRECT AND PERSONAL KNOWLEDGE OF THE**  
10 **FACTS ALLEGED IN THE COMPLAINT.**

11           **(2) THIS SECTION ONLY APPLIES IF 1 OF THE FOLLOWING APPLIES TO**

1 THE LIMITED LIABILITY COMPANY:

2 (A) THE LIMITED LIABILITY COMPANY HAS ONLY 1 MEMBER AND THE  
3 MEMBER IS AN INDIVIDUAL.

4 (B) THE LIMITED LIABILITY COMPANY HAS ONLY 2 MEMBERS WHO ARE  
5 INDIVIDUALS MARRIED TO EACH OTHER, IF BOTH MEMBERS HAVE SIGNED A  
6 VERIFIED STATEMENT AUTHORIZING THE REPRESENTATION AND THE ORIGINAL  
7 SIGNED COPY OF THE STATEMENT HAS BEEN FILED WITH THE COURT IN THE  
8 SUMMARY PROCEEDING. THIS SUBDIVISION DOES NOT APPLY IF THERE IS AN  
9 ACTION FOR DIVORCE OR SEPARATE MAINTENANCE PENDING BETWEEN THE  
10 MEMBERS, OR IF A JUDGMENT FOR SEPARATE MAINTENANCE HAS BEEN ENTERED  
11 AS TO THE MEMBERS.

12 (3) IF A PARTY TO A SUMMARY PROCEEDING IS A LIMITED LIABILITY  
13 COMPANY DESCRIBED IN SUBSECTION (2) (B), AN INDIVIDUAL MAY NOT  
14 REPRESENT THE PARTY IN A HEARING IN THE SUMMARY PROCEEDING UNLESS,  
15 BEFORE THE HEARING, A DESIGNATED EMPLOYEE OF THE COURT REVIEWS THE  
16 FILE AND DETERMINES THAT THE VERIFIED STATEMENT REQUIRED BY  
17 SUBSECTION (2) (B) HAS BEEN FILED WITH THE COURT.

18 (4) REPRESENTATION UNDER THIS SECTION IS NOT A VIOLATION OF  
19 SECTION 916.