

HOUSE BILL No. 4251

February 11, 2009, Introduced by Reps. Jackson, Johnson, Haugh, Stanley, Durhal and Leland and referred to the Committee on Intergovernmental and Regional Affairs.

A bill to provide for certain duties of certain owners of property in the event of an eviction; to provide for the removal and handling of solid waste from private property; and to provide for remedies and penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "safe
2 and orderly occupancy transition act".

3 Sec. 2. A landlord or other owner of private property that is
4 residential rental property is responsible for removing solid waste
5 from that property within 48 hours of the time the landlord or
6 other owner knew or should have known that solid waste has been

1 dumped, disposed, stored, or placed upon the private property. If
2 more than 1 person or entity is the owner of private property, then
3 each person or entity is jointly and severally responsible for
4 removal of the solid waste. As used in this section, "solid waste"
5 includes, but is not limited to, personal property of an evicted
6 tenant.

7 Sec. 3. When a tenant is evicted from property, the landlord
8 or owner shall place a large movable container of sufficient size
9 to hold the tenant's household furniture and goods on the private
10 area of the property. The large movable container shall not be
11 placed on a public area adjacent to the landlord's or owner's
12 property. The tenant's property shall be placed in the container,
13 and the container shall allow access from the side.

14 Sec. 4. The large movable container shall be removed within 48
15 hours of placement. Failure of the landlord or owner to use and
16 remove the large removable container within 48 hours of placement
17 is a state civil infraction, and the landlord or owner is subject
18 to a fine of \$500.00.

19 Sec. 5. The landlord or owner of any private property shall
20 assure the safe and proper disposal of all hazardous waste and
21 medical waste that is generated, stored, treated, processed, or
22 reprocessed on private property owned by a landlord or other owner
23 because of an eviction is the responsibility of the landlord or
24 other owner, jointly and severally. In assuring the safe and proper
25 disposal of hazardous and medical waste, the landlord or other
26 owner shall comply with part 111 of the natural resources and
27 environmental protection act, 1994 PA 451, MCL 324.11101 to

1 324.11153, and the requirements of part 138 of the public health
2 code, 1978 PA 368, MCL 333.13801 to 333.13831.