

HOUSE BILL No. 4905

May 7, 2009, Introduced by Reps. Nathan, Slavens, Miller, Constan, Durhal, Pavlov,
Knollenberg, Paul Scott, Leland and Johnson and referred to the Committee on Urban
Policy.

A bill to amend 1846 RS 66, entitled

"Of estates in dower, by the curtesy, and general provisions
concerning real estate,"

by amending section 34 (MCL 554.134), as amended by 2004 PA 106.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 34. (1) Except as provided otherwise in this section, an
2 estate at will or by sufferance may be terminated by either party
3 by giving 1 month's notice to the other party. If the rent reserved
4 in a lease is payable at periods of less than 3 months, the time of
5 notice is sufficient if it is equal to the interval between the
6 times of payment. Notice is not void because it states a day for
7 the termination of the tenancy that does not correspond to the
8 conclusion or commencement of a rental period. The notice
9 terminates the tenancy at the end of a period equal in length to
10 the interval between times of payment.

1 (2) If a tenant neglects or refuses to pay rent on a lease at
2 will or otherwise, the landlord may terminate the tenancy by giving
3 the tenant a written 7-day notice to quit.

4 (3) A tenancy from year to year may be terminated by either
5 party by a notice to quit, given at any time to the other party.
6 The notice shall terminate the lease at the expiration of 1 year
7 from the time of the service of the notice.

8 (4) If a tenant holds over after a lease is terminated
9 pursuant to a clause in the lease providing for termination because
10 the tenant, a member of the tenant's household, or other person
11 under the tenant's control has manufactured, delivered, possessed
12 with intent to deliver, or possessed a controlled substance on the
13 leased premises, the landlord may terminate the tenancy by giving
14 the tenant a written 24-hour notice to quit. ~~This subsection~~
15 ~~applies only if a formal police report has been filed by the~~
16 ~~landlord alleging that the person has unlawfully manufactured,~~
17 ~~delivered, possessed with intent to deliver, or possessed a~~
18 ~~controlled substance on the leased premises.~~ For purposes of this
19 subsection, "controlled substance" means a substance or a
20 counterfeit substance classified in schedule 1, 2, or 3 pursuant to
21 sections 7211 to 7216 of the public health code, 1978 PA 368, MCL
22 333.7211 to 333.7216.

23 Enacting section 1. This amendatory act does not take effect
24 unless Senate Bill No. ____ or House Bill No. 4904(request no.
25 02990'09) of the 95th Legislature is enacted into law.