

SENATE BILL No. 1073

April 18, 2012, Introduced by Senator ROBERTSON and referred to the Committee on Judiciary.

A bill to establish duties of owners or operators of property and their attorneys and agents in evicting a tenant from the property; to provide for the disposal of a tenant's personal property lawfully removed from property; to provide civil sanctions for the improper removal and disposal of property; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "eviction procedures and personal property disposal act".

3 Sec. 2. On obtaining a writ under section 5744 of the revised
4 judicature act of 1961, 1961 PA 236, MCL 600.5744, to restore
5 possession of premises to the owner or operator of the premises,
6 the person entitled to possession or the person's attorney or agent
7 shall obtain a movable container and follow the procedures for the

Senate Bill No. 1073 as amended June 7, 2012

1 disposal of personal property as described in this act on execution
2 of the writ.

3 Sec. 3. At the time a tenant is evicted from premises by a
4 court order, the owner or operator of the premises shall place a
5 movable container that allows access from the side and that is of
6 sufficient size to hold the tenant's household furniture and goods
7 on either the owner's or operator's property or the public street
8 adjacent to the owner's or operator's property.

9 Sec. 4. The personal property of a tenant being evicted from
10 premises by a court order shall be legally removed from the
11 premises and placed in the movable container placed as required
12 under section 3.

13 Sec. 5. The owner or operator of property on which a movable
14 container is placed as required under section 3 shall remove the
15 container within 48 hours after placement. A person who violates
16 this section is responsible for a state civil infraction and may be
17 ordered to pay a civil fine of not more than \$500.00.

18 Sec. 6. An owner or operator of property shall assure the safe
19 and lawful disposal of all personal property that is removed from
20 the owner's or operator's property because of an eviction.

<<Enacting section 1. This amendatory act does not take effect
unless Senate Bill No. 1168 of the 96th Legislature is enacted into
law.>>