

**SUBSTITUTE FOR
HOUSE BILL NO. 4948**

A bill to amend 1972 PA 348, entitled
"An act to regulate relationships between landlords and tenants
relative to rental agreements for rental units; to regulate the
payment, repayment, use and investment of security deposits; to
provide for commencement and termination inventories of rental
units; to provide for termination arrangements relative to rental
units; to provide for legal remedies; and to provide penalties,"
(MCL 554.601 to 554.616) by amending the title and by adding
section 2a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to regulate relationships between landlords and tenants
3 relative to rental agreements for rental units; to regulate the
4 payment, repayment, use, and investment of security deposits; to

1 provide for commencement and termination inventories of rental
2 units; to provide for termination arrangements relative to rental
3 units; to provide for legal remedies; **to protect prospective**
4 **tenants from having to make certain disclosures;** and to provide
5 penalties.

6 **Sec. 2a. (1) Beginning on the effective date of the amendatory**
7 **act that added this section, a landlord shall not require a**
8 **prospective tenant to disclose any of the following:**

9 (a) A conviction set aside under 1965 PA 213, MCL 780.621 to
10 780.624.

11 (b) A finding of juvenile delinquency under 18 USC 5031 to
12 5043.

13 (c) Participation in a diversion program for juveniles.

14 (d) The assignment of youthful trainee status under the Holmes
15 youthful trainee act, as provided in sections 11 to 15 of chapter
16 II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to
17 762.15.

18 (e) The entry of a judgment or order of disposition by a court
19 of another state that states or is based on a finding that a
20 juvenile violated a law of another state that would have been a
21 criminal offense if committed by an adult in that state.

22 (2) This section does not prohibit a landlord from inquiring
23 about a criminal conviction or disposition not listed under
24 subsection (1).

25 (3) If a landlord violates subsection (1), a prospective
26 tenant may bring an action seeking injunctive relief against the
27 landlord. If a court determines that a landlord violated subsection
28 (1), the court shall issue an injunctive order requiring the
29 landlord to cease and desist from violating subsection (1). A

1 landlord that violates an injunctive order under this section is
2 subject to a civil fine of not more than \$250.00 for each day of
3 violation, up to a maximum of \$2,000.00. If a court determines that
4 a landlord violated subsection (1), a prospective tenant that
5 brings an action under this section may recover costs and
6 reasonable attorney fees.