

HOUSE BILL NO. 6200

November 26, 2024, Introduced by Rep. Skaggs and referred to the Committee on Economic Development and Small Business.

A bill to amend 1917 PA 167, entitled
"Housing law of Michigan,"
by amending section 134 (MCL 125.534), as amended by 2003 PA 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 134. (1) If the owner or occupant fails to comply with
2 the order contained in the notice of violation, the enforcing
3 agency may bring an action to enforce this act and to abate or
4 enjoin the violation.

5 (2) An owner or occupant of the premises ~~upon~~**on** which a

1 violation exists may bring an action to enforce this act in ~~his or~~
 2 ~~her~~ **the owner's or occupant's** own name. ~~Upon~~ **On** application by the
 3 enforcing agency, or ~~upon~~ **on** motion of the party filing the
 4 complaint, the local enforcing agency may be substituted for, or
 5 joined with, the complainant in the discretion of the court.

6 (3) If the violation is uncorrected and creates an imminent
 7 danger to the health and safety of the occupants of the premises,
 8 or if there are no occupants and the violation creates an imminent
 9 danger to the health and safety of the public, the enforcing agency
 10 shall file a motion for a preliminary injunction or other temporary
 11 relief appropriate to remove the danger during the pendency of the
 12 action.

13 (4) Owners and lienholders of record or owners and lienholders
 14 ascertained by the complainant with the exercise of reasonable
 15 diligence ~~shall~~ **must** be served with a copy of the complaint and a
 16 summons. The complainant shall also file a notice of the pendency
 17 of the action with the appropriate county register of deeds office
 18 where the premises are located.

19 (5) The court of jurisdiction shall make orders and
 20 determinations consistent with the objectives of this act. The
 21 court may enjoin the maintenance of unsafe, unhealthy, or
 22 unsanitary conditions, or violations of this act, and may order the
 23 defendant to make repairs or corrections necessary to abate the
 24 conditions. The court may authorize the enforcing agency to repair
 25 or to remove the building or structure. If an occupant is not the
 26 cause of an unsafe, unhealthy, or unsanitary condition, or a
 27 violation of this act, and is the complainant, the court may
 28 authorize the occupant to correct the violation and deduct the cost
 29 from the rent ~~upon~~ **on** terms the court determines just. If the court

1 finds that the occupant is the cause of an unsafe, unhealthy, or
 2 unsanitary condition, or a violation of this act, the court may
 3 authorize the owner to correct the violation and assess the cost
 4 against the occupant or the occupant's security deposit.

5 (6) A building or structure ~~shall~~**must** not be removed unless
 6 the cost of repair of the building or structure will be greater
 7 than the state equalized value of the building or structure except
 8 in urban core cities or local units of government that are adjacent
 9 to or contiguous to an urban core city that have adopted stricter
 10 standards to expedite the rehabilitation or removal of a boarded or
 11 abandoned building or structure that remains either vacant or
 12 boarded, or both, and a significant attempt has not been made to
 13 rehabilitate the building or structure for a period of 24
 14 consecutive months.

15 (7) If the expense of repair or removal is not provided for,
 16 the court may enter an order approving the expense and placing a
 17 lien on the real property for the payment of the expense. The order
 18 may establish and provide for the priority of the lien as a senior
 19 lien, except as to tax and assessment liens, and except as to a
 20 recorded mortgage of first priority, recorded ~~prior to~~**before** all
 21 other liens of record if, at the time of recording of that mortgage
 22 or at a time subsequent, a certificate of compliance as provided
 23 for in this act is in effect on the subject property. The order may
 24 also specify the time and manner for foreclosure of the lien if the
 25 lien is not satisfied. A true copy of the order ~~shall~~**must** be filed
 26 with the appropriate county register of deeds office where the real
 27 property is located ~~within~~**not later than** 10 days after entry of
 28 the order to perfect the lien granted in the order.

29 (8) This act does not preempt, preclude, or interfere with the

1 authority of a municipality to protect the health, safety, and
 2 general welfare of the public through ordinance, charter, or other
 3 means.

4 (9) As used in this section: ~~7~~ "urban

5 (a) "Qualified local governmental unit" means 1 or more of the
 6 following:

7 (i) A city with a median family income of 150% or less of the
 8 statewide median family income as reported in the 1990 federal
 9 decennial census that meets 1 or more of the following criteria:

10 (A) Contains or has within its borders an eligible distressed
 11 area as that term is defined in section 11(u) (ii) and (iii) of the
 12 state housing development authority act of 1966, 1966 PA 346, MCL
 13 125.1411.

14 (B) Is contiguous to a city with a population of 500,000 or
 15 more.

16 (C) Has a population of 10,000 or more that is located outside
 17 of an urbanized area as delineated by the United States Bureau of
 18 the Census.

19 (D) Is the central city of a metropolitan area designated by
 20 the United States Office of Management and Budget.

21 (E) Has a population of 100,000 or more that is located in a
 22 county with a population of 2,000,000 or more according to the 1990
 23 federal decennial census.

24 (ii) A township with a median family income of 150% or less of
 25 the statewide median family income as reported in the 1990 federal
 26 decennial census that meets 1 or more of the following criteria:

27 (A) Is contiguous to a city with a population of 500,000 or
 28 more.

29 (B) All of the following:

1 (I) Contains or has within its borders an eligible distressed
 2 area as that term is defined in section 11(u) (ii) of the state
 3 housing development authority act of 1966, 1966 PA 346, MCL
 4 125.1411.

5 (II) Has a population of 10,000 or more.

6 (iii) A village with a population of 500 or more as reported in
 7 the 1990 federal decennial census located in an area designated as
 8 a rural enterprise community before 1998 under title XIII of the
 9 omnibus budget reconciliation act of 1993, Public Law 103-66.

10 (iv) A city that meets all of the following criteria:

11 (A) Has a population of more than 20,000 or less than 5,000
 12 and is located in a county with a population of 2,000,000 or more
 13 according to the 1990 federal decennial census.

14 (B) As of January 1, 2000, has an overall increase in the
 15 state equalized valuation of real and personal property of less
 16 than 65% of the statewide average increase since 1972 as determined
 17 for the designation of eligible distressed areas under section
 18 11(u) (ii) (B) of the state housing development authority act of 1966,
 19 1966 PA 346, MCL 125.1411.

20 (b) "Urban core cities" means qualified local governmental
 21 units. ~~as that term is defined in section 2 of the obsolete~~
 22 ~~property rehabilitation act, 2000 PA 146, MCL 125.2782.~~

23 Enacting section 1. This amendatory act does not take effect
 24 unless Senate Bill No.____ or House Bill No.____ (request no.
 25 04434'23) of the 102nd Legislature is enacted into law.