

**THE SECONDARY MORTGAGE LOAN ACT (EXCERPT)**  
**Act 125 of 1981**

**493.73 Instrument evidencing or securing secondary mortgage; contents.**

Sec. 23.

An instrument evidencing or securing a secondary mortgage loan shall not contain any of the following:

- (a) A power of attorney to confess judgment.
- (b) A provision by which the debtor waives rights accruing under this act, any federal law, or law of this state.
- (c) An assignment of or order for the payment of all or part of salary, wages, commissions, or other compensation for services earned or to be earned.
- (d) A provision to compel, encourage, or induce a borrower to incorporate to evade the provisions of this act.
- (e) A provision by which a debtor agrees to pay damages absent a judgment by a court.

**History:** 1981, Act 125, Imd. Eff. July 23, 1981 ;-- Am. 1997, Act 91, Imd. Eff. Aug. 1, 1997

**Compiler's Notes:** For transfer of authority, powers, duties, functions, and responsibility of the financial institutions bureau and the commissioner of the financial institutions bureau to the commissioner of the office of financial and insurance services and the office of financial and insurance services by type III transfer, see E.R.O. No. 2000-2, compiled at MCL 445.2003 of the Michigan compiled laws.

**Popular Name:** Secondary Mortgage Loan Act

**Admin Rule:** R 493.101 et seq. of the Michigan Administrative Code.