



KELLEY CAWTHORNE

ATTORNEYS &
GOVERNMENT
RELATIONS
COUNSELORS

*Frank J. Kelley
Dennis O. Cawthorne
Patrick H. McCollough
Steven D. Weyhing
David Gregory*

PROPERTY MANAGEMENT ASSOCIATION OF MICHIGAN: LEGISLATIVE COMMITTEE REPORT

January 2008

I. PRIORITY ISSUES

- A. PMAM STATE CAPITOL DAY.** February 6, 2008. Meet at current Kelley Cawthorne offices 8:00 a.m.
- B. AT-RISK PROPERTY PROTECTION ACT/INSPECTION REFORM.**
UPDATE: The following bills have been introduced: **HB 4958** by Rep. Green and referred to House Intergovernmental, Urban and Regional Affairs; **SB 635** introduced by Sen. Garcia and referred to Senate Economic Development/Regulatory Affairs; and **HB 5206** introduced by Rep. Sak and referred to House Urban Affairs Committee. **UPDATE:** HB 4958 and SB 635 were introduced at the request of PMAM and prospects for a quick hearing in the Senate look good pending some resolution of the state budget crisis. HB 5206 was introduced at the request of the RPOA and would increase the maximum length between inspections from 2 to 4 years and permit a local government to adopt a 6 year ordinance if the most recent inspection uncovered no code violations.
- C. DOMESTIC VIOLENCE TERMINATION/SB 103. UPDATE:** Various interest groups met with Sen. Garcia several weeks ago to discuss Draft 4. We reached partial agreement on several issues. Moreover, all parties agreed in concept regarding the need for written documentation which is “self-evident” to entry level employees and not subject to interpretation. The difficult part will be reaching agreement on the details regarding what documentation meets this standard and does not expose property owners and managers to undue liability. The State Domestic Violence Prevention Board housed within the DHS has also weighed in on this issue.
- D. LICENSURE. UPDATE:** As previously reported MHC is considering seeking the re-introduction of a bill similar to HB 6554 from last term which would create a new licensure class. We have spoken directly to MAR which has taken a largely hands-off position qualified by the statement that its members would marginally prefer separate licensure to an “exemption”

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*Rob Elhenicky
Dave Ladd
Melissa Yutzey Bourke*

approach. MAR has informed us that it will not take a formal position until such time as it reviews actual bill language. **TO DO:** Contact MHC to the effect that PMAM position statement has not changed. We will only support clarifying legislation at this time.

- E. INTRODUCTION OF NEW PMAM BILLS.** Death of tenant and eviction for violence against staff and co-tenants.

II. OTHER BILLS FOR DISCUSSION & MONITORING

- A. ABANDONED BUILDINGS – BLIGHT COURT. HB 5319** would make an abandoned building order the Housing Code eligible for adjudication in a blight court for municipalities which have established such tribunals. As previously reported, the City of Detroit is pursuing this statutory change. The bill is in the House Urban Affairs Committee.
Abandoned
- B. BLIGHT VIOLATIONS – NEW BILL. HB 5620** (Young, D-Detroit). Bill would create a new schedule of fines for blight violations in a city with over 750,000 in population and an administrative hearings bureau (City of Detroit). Referred to House Urban Affairs.
- C. CHANGE ADDRESS NOTICE. HB 4394** introduced by **Rep. Steil (R-Cascade)** and referred to the Regulatory Reform Committee would require a tenant to use registered or certified mail/return receipt requested. In May we received calls from RPOA's consultant suggesting that bill will come up for a committee hearing in the near future.
- D. DUMPSTERS/CITY OF DETROIT**
- E. ENERGY EFFICIENCY/TAX CREDIT/NEW/HB 5374.** This bill was introduced by Rep. Bob Constan (D-Dearborn Heights) it would authorize an income tax credit of up to 35% of the cost for installation of energy efficiency measures in residential rental property. The bill was referred to the Energy and Technology Committee.
- F. FORECLOSURE NOTICE – TRUTH IN RENTING ACT – NEW. HB 56532 (Jackson, D-Detroit).** Bill would amend the Truth in Renting Act to provide as follows: "A rental agreement shall contain a provision that a landlord shall notify a tenant of any foreclosure actions being taken against the property at least 30 days before the property is foreclosed on." Referred to House Regulatory Reform Committee.
- G. LANDLORD-TENANT/NOTICE REGARDING REPAIRS/SB 379. Sen. Gretchen Whitmer (D-East Lansing)** introduced a bill which would require that a rental agreement provide that a tenant has a right to a 24 hour notice for non-emergency repairs or maintenance. Referred to Local, State and Urban Affairs Committee.

- H. **LEAD CONTAMINATION NOTICE.** Sen. Martha Scott (D-Detroit) introduced SB 509 (referred to Judiciary). The bill would amend the Truth in Renting Act to require a landlord to provide notice to a tenant within 10 days of receiving notice that a rental unit rests on soil that is contaminated with lead. See Attachment C for bill text.
- I. **LEASING RESTRICTIONS/ANN ARBOR ORDINANCE.** Kelley Cawthorne is reviewing legal opinion issued by outside firm to WAAA for possible attorney general opinion request. **UPDATE:** To be provided verbally at meeting.
- J. **LOW INCOME HOUSING ISSUES.** Sen. Ron Jelinek (R-Three Oaks) has introduced **SB 80** which would exempt a transfer of “eligible nonprofit housing property from charitable nonprofit housing organization to a low-income person” from the definition of a “transfer” under the General Property Tax Act. Rep. Joel Sheltroun (D-West Branch) has introduced **HB 4338** dealing with withholding taxes for entities with regulatory agreements with HUD and MSHDA.
- K. **NON-ATTORNEY REPRESENTATION**
- L. **SOURCE OF INCOME.**
- M. **TAX CREDITS/MSHDA PROJECTS.** Rep. LaJoy (R-Canton) has introduced a technical bill regarding the use of homestead credits for MSHDA projects. **HB 5183** referred to Commerce.
- N. **VACANCY LOSS REFORM. UPDATE:** A new commercial property specific tax act (HB 4375/Condino) previously passed the House and remains in Senate Finance Committee. The Senate version of the bill was discharged (SB 312/Jacobs) from committee and remains on the Senate general orders calendar.

III. OTHER ISSUES

- A. **FUND-RAISING/PAC.**
- B. **LEGISLATOR/PUBLIC OFFICIAL-OF-THE YEAR AWARD**
- C. **NAA CAPITOL HILL DAYS**
- D. **SUPREME COURT RULE CHANGE REQUEST**

[SB 0067 of 2007](#)

Local government; other; inclusionary zoning act; create. Creates new act.
Last Action: 01/24/2007 - REFERRED TO COMMITTEE ON LOCAL, URBAN AND STATE AFFAIRS

[SB 0080 of 2007](#)

Property tax; assessments; property transferred to certain low-income individuals through certain housing programs; exclude from definition of transfer of ownership. Amends sec. 27a of 1893 PA 206 (MCL 211.27a).
Last Action: 01/25/2007 - REFERRED TO COMMITTEE ON FINANCE

[SB 0103 of 2007](#)

Housing; landlord and tenants; early lease termination; allow for certain victims of domestic assault. Amends 1972 PA 348 (MCL 554.601 - 554.616) by adding sec. 1b.
Last Action: 01/30/2007 - REFERRED TO COMMITTEE ON JUDICIARY

[SB 0366 of 2007](#)

Income tax; checkoff; Michigan housing and community development fund; create check-off option. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 436.
Last Action: 03/21/2007 - REFERRED TO COMMITTEE ON FINANCE

[SB 0379 of 2007](#)

Housing; landlord and tenants; landlord notification procedure for

tenant repairs and maintenance;
clarify. Amends 1972 PA 348
(MCL 554.601 - 554.616) by
adding sec. 1c.

Last Action: 03/27/2007 -
REFERRED TO COMMITTEE
ON LOCAL, URBAN AND
STATE AFFAIRS

[SB 0509 of 2007](#)

Housing; landlord and tenants;
lead-contaminated soil; require
landlord notification to tenants.
Amends 1978 PA 454 (MCL
554.631 - 554.641) by adding sec.
4a.

Last Action: 05/17/2007 -
REFERRED TO COMMITTEE
ON JUDICIARY

[SB 0635 of 2007](#)

Housing; inspection; scope of
application to include certain
townships and timing of
inspections to be modified;
provide for. Amends secs. 1 & 126
of 1917 PA 167 (MCL 125.401 &
125.526).

Last Action: 07/17/2007 -
REFERRED TO COMMITTEE
ON ECONOMIC
DEVELOPMENT AND
REGULATORY REFORM

[SB 0948 of 2007](#)

Housing; housing development
authority; refinancing program;
allow housing development
authority to offer. Amends sec. 44
of 1966 PA 346 (MCL 125.1444).

Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[SB 0949 of 2007](#)

Housing; housing development
authority; refinancing program;
allow housing development
authority to offer. Amends sec.

32a of 1966 PA 346 (MCL 125.1432a).

Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[SB 0950 of 2007](#)

Housing; housing development authority; recapture tax fund; establish. Amends 1966 PA 346 (MCL 125.1401 - 125.1499c) by adding sec. 24f.

Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[SB 0951 of 2007](#)

Housing; housing development authority; financing for purchase of certain existing single-family residences; expand to include refinancing. Amends sec. 1 of 1966 PA 346 (MCL 125.1401).

Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[SB 0952 of 2007](#)

Housing; housing development authority; limitation on aggregate principal amount of notes and bonds; extend issuance date.

Amends sec. 32 of 1966 PA 346 (MCL 125.1432).

Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[HB 4015 of 2007](#)

Mobile homes; parks; emergency storm shelter in all mobile home parks; establish. Amends sec. 12 of 1987 PA 96 (MCL 125.2312).
Last Action: 01/23/2007 - printed bill filed 01/23/2007

[HB 4338 of 2007](#)

Income tax; deductions;
withholding payments on certain
cash distributions; require.
Amends sec. 351 of 1967 PA 281
(MCL 206.351).
Last Action: 04/17/2007 -
REFERRED TO COMMITTEE
ON FINANCE

[HB 4366 of 2007](#)

Human services; services or
financial assistance; public
housing assisted living
demonstration program; establish.
Amends 1939 PA 280 (MCL 400.1
- 400.119b) by adding sec. 109k.
Last Action: 03/06/2007 - printed
bill filed 03/02/2007

[HB 4394 of 2007](#)

Housing; landlord and tenants;
notice of forwarding address;
provide technical amendment.
Amends sec. 11 of 1972 PA 348
(MCL 554.611).
Last Action: 03/06/2007 - printed
bill filed 03/02/2007

[HB 4429 of 2007](#)

Mobile homes; owner's rights;
manufactured home owners'
residency act; create. Creates new
act.
Last Action: 03/13/2007 - printed
bill filed 03/09/2007

[HB 4479 of 2007](#)

Local government; other;
inclusionary zoning act; create.
Creates new act.
Last Action: 03/21/2007 - printed

bill filed 03/21/2007

[HB 4657 of 2007](#)

Housing; affordable; Michigan housing and community development fund act; revise to include downtown areas. Amends secs. 2, 3, 5, 6 & 8 of 2004 PA 479 (MCL 125.2822 et seq.).
Last Action: 04/25/2007 - printed bill filed 04/25/2007

[HB 4658 of 2007](#)

Housing; housing development authority; definition of downtown area; provide for. Amends secs. 58, 58a, 58b & 58c of 1966 PA 346 (MCL 125.1458 et seq.).
Last Action: 04/25/2007 - printed bill filed 04/25/2007

[HB 4874 of 2007](#)

Housing; condominium; assessment of condo maintenance fees; revise procedure. Amends secs. 8, 37 & 69 of 1978 PA 59 (MCL 559.108 et seq.).
Last Action: 06/06/2007 - printed bill filed 06/06/2007

[HB 4958 of 2007](#)

Housing; inspection; scope of application to include certain townships and timing of inspections to be modified; provide for. Amends secs. 1 & 126 of 1917 PA 167 (MCL 125.401 & 125.526).
Last Action: 06/21/2007 - printed bill filed 06/21/2007

[HB 5080 of 2007](#)

Housing; condominium; office of

condominium ombudsman; create. Amends 1978 PA 59 (MCL 559.101 - 559.276) by adding sec. 63a.
Last Action: 08/08/2007 - printed bill filed 08/02/2007

[HB 5183 of 2007](#)

Housing; landlord and tenants; service fee housing and the homestead property tax credit; require disclosure to tenants under certain circumstances. Amends sec. 15a of 1966 PA 346 (MCL 125.1415a).
Last Action: 09/07/2007 - printed bill filed 09/07/2007

[HB 5206 of 2007](#)

Housing; inspection; period between inspections of multiple dwelling or rooming house rental units; revise to 6 years. Amends sec. 126 of 1917 PA 167 (MCL 125.526).
Last Action: 09/14/2007 - printed bill filed 09/13/2007

[HB 5311 of 2007](#)

Income tax; credit; investments in certain neighborhood organizations and programs; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 253. TIE BAR WITH: HB 5312'07, HB 5313'07
Last Action: 10/17/2007 - printed bill filed 10/17/2007

[HB 5313 of 2007](#)

Housing; housing development authority; approval and issuance of certificate for certain neighborhood programs; provide for. Amends 1966 PA 346 (MCL 125.1401 - 125.1499c) by adding sec. 18. TIE BAR WITH: HB 5311'07, HB 5312'07

[HB 5319 of 2007](#)

Last Action: 10/17/2007 - printed bill filed 10/17/2007

Local government; other; penalties for noncompliance with order; expand to include a blight violation under certain circumstances. Amends sec. 141b of 1917 PA 167 (MCL 125.541b).
Last Action: 12/05/2007 - referred to second reading

[HB 5374 of 2007](#)

Income tax; credit; credit for landlords who upgrade energy efficiency of residential rental property; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 273.
Last Action: 10/26/2007 - printed bill filed 10/26/2007

[HB 5376 of 2007](#)

Consumer credit; other; Michigan homeownership preservation fund; create, and finance with civil fines. Amends title & sec. 10 of 2002 PA 660 (MCL 445.1640).
Last Action: 10/29/2007 - printed bill filed 10/29/2007

[HB 5436 of 2007](#)

Income tax; credit; tax credits for homesteads with energy efficient property and participation in a net metering program; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 253.
Last Action: 11/13/2007 - printed bill filed 11/09/2007

[HB 5439 of 2007](#)

Housing; affordable; certification of supportive housing property; provide for. Amends 1966 PA 346 (MCL 125.1401 - 125.1499c) by adding ch. 3B. TIE BAR WITH:

HB 5437'07, HB 5438'07
Last Action: 11/13/2007 - printed
bill filed 11/09/2007

[HB 5442 of 2007](#)

Housing; housing development
authority; reference to consumer
and industry services; revise to
labor and economic growth.
Amends sec. 21 of 1966 PA 346
(MCL 125.1421).
Last Action: 11/28/2007 -
recommendation concurred in

[HB 5443 of 2007](#)

Housing; housing development
authority; waiver for bonds issued
to refinance single family homes;
provide for. Amends sec. 32a of
1966 PA 346 (MCL 125.1432a).
TIE BAR WITH: HB 5442'07, HB
5444'07
Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[HB 5444 of 2007](#)

Housing; housing development
authority; definition of purchase
price; expand to include
refinancing. Amends sec. 44 of
1966 PA 346 (MCL 125.1444).
TIE BAR WITH: HB 5442'07, HB
5443'07
Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[HB 5445 of 2007](#)

Housing; housing development
authority; recapture tax fund;
establish. Amends 1966 PA 346
(MCL 125.1401 - 125.1499c) by
adding sec. 24f. TIE BAR WITH:
HB 5442'07
Last Action: 12/05/2007 -
REFERRED TO COMMITTEE
ON BANKING AND
FINANCIAL INSTITUTIONS

[HB 5446 of 2007](#)

Housing; housing development authority; limitation on aggregate principal amount of notes and bonds; extend issuance date. Amends sec. 32 of 1966 PA 346 (MCL 125.1432).

Last Action: 12/05/2007 - REFERRED TO COMMITTEE ON BANKING AND FINANCIAL INSTITUTIONS

[HB 5447 of 2007](#)

Housing; housing development authority; financing for purchase of certain existing single-family residences; expand to include refinancing. Amends sec. 1 of 1966 PA 346 (MCL 125.1401).

Last Action: 12/05/2007 - REFERRED TO COMMITTEE ON BANKING AND FINANCIAL INSTITUTIONS

[HB 5452 of 2007](#)

Environmental protection; other; condominium act; modify certain fees. Amends sec. 71a of 1978 PA 59 (MCL 559.171a). TIE BAR WITH: HB 5450'07

Last Action: 11/13/2007 - printed bill filed 11/09/2007

[HB 5487 of 2007](#)
(PA 185 of 2007)

Housing; other; reference to single business tax; revise. Amends sec. 1 of 1933 (Ex Sess) PA 18 (MCL 125.651).

Last Action: 12/27/2007 - assigned PA 185'07 with immediate effect

[HB 5532 of 2007](#)

Housing; landlord and tenants; 30-day notice of foreclosure of property; require. Amends 1978 PA 454 (MCL 554.631 - 554.641) by adding sec. 10a.

Last Action: 12/11/2007 - printed bill filed 12/07/2007

[HB 5566 of 2007](#)

Housing; affordable; community stabilization authority; establish. Creates new act.

Last Action: 12/27/2007 - printed bill filed 12/14/2007

[HB 5620 of 2008](#)

Cities; home rule; civil fines issued by an administrative hearings bureau in a city with a population of more than 750,000; revise. Amends sec. 4q of 1909 PA 279 (MCL 117.4q).

Last Action: 01/17/2008 - printed bill filed 01/17/2008