



**House
Legislative
Analysis
Section**

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TAX LIEN ON ABANDONED BUILDINGS

House Bill 5284
Sponsor: Rep. Burton Leland
Committee: Urban Affairs

Complete to 5-30-90

A SUMMARY OF HOUSE BILL 5284 AS INTRODUCED 11-13-90

The Housing Law of Michigan allows local governments to designate certain structures as "dangerous buildings" if they do not meet local building or fire safety codes, are structurally unsound or otherwise pose a threat to safety. After giving the property owner notice and an opportunity for a hearing, the enforcing agency may order the property owner to demolish the building or make it safe. If the owner fails to comply, the local government may undertake the demolition or act to make the property safe, and assess the owner with the costs in the form of a tax lien against the property.

House Bill 5284 would amend the act to specify that a residential building that is unoccupied for 180 days or more and is not listed for sale or rent could be declared a dangerous building. However, the provision would not apply if the owner notified local law enforcement officials that the building would be unoccupied and if the owner maintained the exterior of the building and its grounds in a manner that reasonably gave the appearance that the building was inhabited. If the local government declared an unoccupied residence to be a dangerous building, the enforcing agency could order, as an alternative to demolition or making the building safe, maintenance of the exterior of the building and its grounds. If the property owner failed to comply with the order, the local government could enforce the order and assess the cost of maintaining the exterior of the building against the owner by placing a lien against the property.

Further, in addition to placing a tax lien on property that had been declared a dangerous building, the bill would allow the local government to sue the owner for the full cost of demolition, making the building safe, or maintaining the building. A judgment could be enforced against the owner's other assets, and by placing a tax lien against any other property in Michigan wholly or partially owned by the person.

MCL 125.539 et al.

House Bill 5284 (5-30-90)