



**House
Legislative
Analysis
Section**

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LIENS ON ABANDONED BLDGS.

House Bill 4148

Sponsor: Rep. Burton Leland

House Bill 4527

Sponsor: Rep. Michael J. Bennane

Committee: Housing & Urban Affairs

Complete to 5-29-91

A SUMMARY OF HOUSE BILL 4148 AS INTRODUCED 2-7-91 AND HOUSE BILL 4527 AS INTRODUCED 3-11-91

The bills would amend the same sections of the Housing Law (MCL 125.539, 125.540, and 125.541) to specify that a residential building that was unoccupied for 180 days or more and was not listed for sale or rent could be declared a dangerous building. However, this provision would not apply if the owner notified local law enforcement officials -- within 30 days after the building became unoccupied -- that it would be unoccupied, and if the owner maintained the exterior of the building and its grounds in accordance with the act or the building code of the local government in which the building was located. The act currently provides for a hearing on whether or not a building is dangerous and what action (in the form of an order) must be taken on the building; the bills specify that an order for demolition would have to be enforced within 90 days after the date of the hearing.

If the municipality 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. However, a lien on dwellings would not have priority over liens and encumbrances filed or recorded before the date when costs were incurred, while a lien on all other property would be treated as provided for under the General Property Tax Act. Further, in addition to placing a tax lien on property that had been declared a dangerous building, the bills would allow a local government to sue the owner for the full cost of demolition, making the building safe, or maintaining the exterior of the building or grounds; a lien would be required to cover costs incurred under this provision and would not take effect until the lien notice was filed or recorded as the law requires.

The provisions within both bills are identical, except that House Bill 4148 specifies that a judgment could be enforced against a dangerous building owner's other assets, and by placing a tax lien against any other property in Michigan wholly or partially owned by the person. Also, the bills are tie-barred to each other.