

# HOUSE BILL No. 4254

February 13, 1991, Introduced by Reps. Joe Young, Jr., Leland, Ciaramitaro and Joe Young, Sr. and referred to the Committee on Housing and Urban Affairs.

A bill to amend section 140 of Act No. 167 of the Public Acts of 1917, entitled as amended  
"Housing law of Michigan,"  
being section 125.540 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 140 of Act No. 167 of the Public Acts of  
2 1917, being section 125.540 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 140. (1) ~~Notwithstanding any other provision of this~~  
5 ~~act, when~~ IF the whole or any part of any building or structure  
6 is found to be in a dangerous or unsafe condition, the enforcing  
7 agency shall issue a notice AS PROVIDED BY THIS SECTION of the  
8 dangerous and unsafe condition. IF THE BUILDING OR STRUCTURE IS  
9 NOT INHABITED, THE ENFORCING AGENCY SHALL IMMEDIATELY SEAL THE  
10 EXTERIOR OF THE BUILDING TO PREVENT ENTRY AND SHALL ENSURE THAT

1 NO PART OF THE BUILDING OR STRUCTURE OR ITS CONTENTS IS REMOVED  
2 BY ANY PERSON WITHOUT PERMISSION OF THE ENFORCING AGENCY UNTIL  
3 OTHERWISE ORDERED PURSUANT TO THE PROCEEDINGS AUTHORIZED BY THIS  
4 SECTION AND SECTIONS 141 AND 142.

5 (2) ~~Such~~ THE notice shall be directed to the owner, agent  
6 or lessee registered with the enforcing agency in accordance with  
7 section 125. If no owner, agent or lessee has been registered,  
8 then the notice shall be directed to each owner of or party in  
9 interest in the building in whose name the property appears on  
10 the last local tax assessment records.

11 (3) The notice shall specify the time and place of a hearing  
12 on the condition of the building or structure at which time and  
13 place the person to whom the notice is directed shall have the  
14 opportunity to show cause why the building or structure should  
15 not be ordered to be demolished or otherwise made safe.

16 (4) The hearing officer shall be appointed by, AND SHALL  
17 SERVE AT THE PLEASURE OF, the mayor, village president, or town-  
18 ship supervisor. ~~to serve at his pleasure.~~ The enforcing  
19 agency shall file a copy of the notice of the dangerous ~~and~~ OR  
20 unsafe condition with the hearing officer.

21 (5) All notices shall be in writing and shall be served upon  
22 the person to whom they are directed personally, or in lieu of  
23 personal service may be mailed by certified mail, — return  
24 receipt requested, addressed to such owner or party in interest  
25 at the address shown on the tax records, at least 10 days before  
26 the date of the hearing described in the notice. If any person  
27 to whom a notice is directed is not personally served, in

1 addition to mailing the notice, a copy ~~thereof~~ OF THE NOTICE  
2 shall be posted upon a conspicuous part of the building or  
3 structure.