



HOUSE BILL No. 6173

November 12, 1996, Introduced by Rep. Profit and referred to the Committee on Urban Policy.

A bill to amend Act No. 348 of the Public Acts of 1972,
entitled

"An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,"

as amended, being sections 554.601 to 554.616 of the Michigan Compiled Laws, by adding section 601b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 348 of the Public Acts of 1972, as
2 amended, being sections 554.601 to 554.616 of the Michigan
3 Compiled Laws, is amended by adding section 601b to read as
4 follows:

5 SEC. 601B. (1) IF A TENANT VACATES LEASED PREMISES, EITHER
6 BEFORE OR AT THE TERMINATION OF THE LEASE, AND LEAVES PERSONAL

1 PROPERTY ON THE PREMISES, THE LANDLORD MAY DO EITHER OF THE
2 FOLLOWING:

3 (A) STORE THE PERSONAL PROPERTY, ON OR OFF THE PREMISES, IN
4 A MANNER DESIGNED TO SAFEGUARD THE PERSONAL PROPERTY. THE COST
5 OF REMOVAL AND STORAGE BECOMES A LIEN ON THE PERSONAL PROPERTY.
6 WITHIN 10 DAYS AFTER THE REMOVAL AND STORAGE OF THE PERSONAL
7 PROPERTY, THE LANDLORD SHALL NOTIFY THE TENANT OF THE COST OF
8 REMOVAL AND THE DAILY STORAGE CHARGES. THE NOTICE MAY BE PER-
9 SONAL OR BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE
10 TENANT. MEDICINE OR MEDICAL EQUIPMENT SHALL NOT BE SUBJECT TO A
11 LIEN AND SHALL BE PROMPTLY RETURNED UPON REQUEST.

12 (B) STORE THE PROPERTY WITHOUT A LIEN AND RETURN IT TO THE
13 TENANT.

14 (2) AFTER 30 DAYS FROM THE DATE OF PERSONAL NOTICE OR FROM
15 THE DATE NOTICE WAS MAILED, THE LANDLORD MAY DISPOSE OF THE PROP-
16 erty BY PUBLIC OR PRIVATE SALE OR OTHER APPROPRIATE METHOD.
17 NOTICE OF THE PROPOSED SALE SHALL BE MADE TO THE TENANT AND MAY
18 BE PERSONAL OR BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF
19 THE TENANT. THE PROCEEDS FROM THE SALE SHALL BE RETURNED TO THE
20 TENANT AFTER THE LANDLORD RETAINS AN AMOUNT TO SATISFY THE LIEN.
21 IF THE TENANT CANNOT BE LOCATED AND THE TENANT HAS NOT RESPONDED
22 TO THE NOTICE OF THE SALE WITHIN 60 DAYS, THE LANDLORD SHALL
23 IMMEDIATELY SEND THE EXCESS PROCEEDS TO THE MICHIGAN STATE HOUS-
24 ING AND DEVELOPMENT AUTHORITY FOR DEPOSIT IN AN ACCOUNT FOR AID
25 TO HOMELESS PERSONS.

26 (3) THE LIEN ALLOWED IN SUBSECTION (1) APPLIES TO ALL
27 PERSONAL PROPERTY FOUND ON THE VACATED PREMISES IF IT WAS OWNED

1 BY THE TENANT OR OTHER PERSONS. THE LIEN SHALL BE SUPERIOR TO
2 ANY OTHER RIGHT OR SECURITY INTEREST IN THE PERSONAL PROPERTY.
3 THE LANDLORD SHALL NOT INCLUDE DAMAGES, OR RENT DUE, UNDER THE
4 LIEN ALLOWED IN SUBSECTION (1). THE TENANT OR OTHER SECURED
5 PARTY MAY CLAIM THE PERSONAL PROPERTY AT ANY TIME BEFORE THE SALE
6 BY PAYING THE REMOVAL AND STORAGE FEES THAT HAVE ACCRUED.