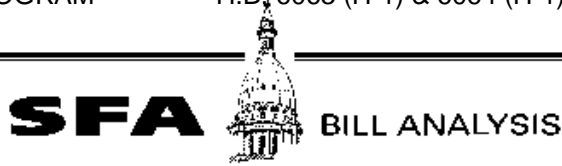


Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 6063 (Substitute H-1 as passed by the House)  
House Bill 6064 (Substitute H-1 as passed by the House)  
Sponsor: Representative Sandra Caul (House Bill 6063)  
Representative Doug Hart (House Bill 6064)  
House Committee: Family and Children Services  
Senate Committee: Families, Mental Health and Human Services

Date Completed: 12-6-00

## **CONTENT**

**House Bill 6063 (H-1) and House Bill 6064 (H-1) would amend the Social Welfare Act and the Housing Law of Michigan, respectively, to do all of the following:**

- **Require that a landlord who participated in the Family Independence Agency (FIA) vendoring program certify that the property met certain safety and health-related standards.**
- **Require the FIA to terminate a landlord's participation in the vendoring program for a dwelling unit if a housing code violation were a health or safety hazard.**
- **Prohibit participating landlords from evicting occupants due to termination from the vendoring program pursuant to this legislation.**
- **Specify that a housing inspection in response to a complaint about a dwelling where a child lived would have priority over other nonemergency complaints.**
- **Require an enforcing agency to notify the FIA within 48 hours after an inspector found safety or health violations, and require the FIA to compare that property with its list of rent-vendored recipients.**

### **House Bill 6063 (H-1)**

A landlord or provider of housing participating in the FIA rent vendoring program would have to certify that the dwelling unit being provided did not have a condition that would facilitate the spread of a "communicable disease"; was fit for human habitation; and was not dangerous to life or health due to lack of repair of, a defect in, or the construction of a drainage source or device, plumbing, lighting, ventilation, or a heating source or device. ("Communicable disease" would mean that term as defined in the Public Health Code, i.e., an illness due to a specific infectious agent or its toxic products that results from transmission of that infectious agent or its products, directly, as from an infected individual or animal, or indirectly, through an intermediate plant or animal or the inanimate environment.)

If the FIA were notified by an enforcing agency that a landlord or provider of housing had a violation of a housing code that constituted a hazard to the health or safety of the occupants, the FIA would have to terminate that landlord's or provider's participation in the rent vendoring program for the dwelling unit until the violation was corrected. A landlord or provider of housing could not evict an occupant from a dwelling unit based solely on termination of the landlord's or provider's participation in the rent vendoring program pursuant to the bill. An occupant who was evicted in violation of the bill could bring an action in any court having jurisdiction to recover treble damages, costs of the action, and reasonable attorney fees.

If an occupant remained in a dwelling unit after a landlord's or provider's participation in the rent vendoring program was terminated under the bill, and if the occupant agreed, the FIA would have to deposit the suspended rental payments for the dwelling unit into an escrow account until the violation was corrected.

### **House Bill 6064 (H-1)**

The Housing Law of Michigan requires local enforcing agencies to inspect multiple dwellings and rooming houses regulated under the Act, on a periodic basis (generally within a two-year period). All other dwellings regulated by the Act may be inspected at reasonable intervals. An inspection must be conducted on one or more of the bases listed in the Act, which include a complaint basis. The bill specifies that, if a complaint identified a dwelling or rooming house regulated under the Act in which a child resided, the dwelling or rooming house would have to be inspected before inspection of any nonemergency complaint.

In addition, if an inspector determined that a violation constituted a hazard to the health or safety of the occupants, the enforcing agency would have to notify the FIA within 48 hours. The notice would have to identify the date of the inspection, the name of the inspector, the nature of the violation, and the time within which the correction would have to be completed. The FIA would have to check the address of the premises against the list of rent-vendored FIA program recipients.

Proposed MCL 400.57i (H.B. 6063)  
MCL 125.526 & 125.532 (H.B. 6064)

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

#### **House Bill 6063 (H-1)**

The bill could result in an indeterminate fiscal impact on State government. The termination and restoration of a landlord from and to the rent vendoring program and the deposit in escrow of suspended rental payments could result in a small increase in Family Independence Agency administrative costs. The bill would have no fiscal impact on local government.

#### **House Bill 6064 (H-1)**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: C. Cole  
D. Zin

S9900\6063sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.