

# SENATE BILL No. 617

July 12, 2001, Introduced by Senators GARCIA, HAMMERSTROM and SIKKEMA and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1987 PA 96, entitled  
 "The mobile home commission act,"  
 by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 11, 12,  
 13, 14, 16, 16a, 17, 18, 21, 22, 23, 24, 25, 27, 28, 28a, 28b,  
 28c, 29, 30, 30a, 30b, 30c, 30d, 30e, 30f, 30g, 30h, 31, 38, and  
 43 (MCL 125.2301, 125.2302, 125.2303, 125.2304, 125.2305,  
 125.2306, 125.2307, 125.2311, 125.2312, 125.2313, 125.2314,  
 125.2316, 125.2316a, 125.2317, 125.2318, 125.2321, 125.2322,  
 125.2323, 125.2324, 125.2325, 125.2327, 125.2328, 125.2328a,  
 125.2328b, 125.2328c, 125.2329, 125.2330, 125.2330a, 125.2330b,  
 125.2330c, 125.2330d, 125.2330e, 125.2330f, 125.2330g, 125.2330h,  
 125.2331, 125.2338, and 125.2343), section 28 as amended by 1993  
 PA 241 and sections 28a, 28b, 28c, and 43 as added and section 38  
 as amended by 1988 PA 337; and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

## TITLE

1  
2 An act to create a ~~mobile home~~ MANUFACTURED HOUSING com-  
3 mission; to prescribe its powers and duties and those of local  
4 governments; to provide for a ~~mobile home~~ MANUFACTURED HOUSING  
5 code and the licensure, regulation, construction, operation, and  
6 management of ~~mobile~~ MANUFACTURED home parks, the licensure and  
7 regulation of retail sales dealers, warranties of ~~mobile~~  
8 MANUFACTURED homes, and service practices of dealers; to provide  
9 for the titling of ~~mobile~~ MANUFACTURED homes; to prescribe the  
10 powers and duties of certain agencies and departments; to provide  
11 remedies and penalties; to declare the act to be remedial; ~~to~~  
12 ~~repeal this act on a specific date;~~ and to repeal ~~certain~~ acts  
13 and parts of acts.

14 Sec. 1. This act shall be known and may be cited as "the  
15 ~~mobile home~~ MANUFACTURED HOUSING commission act".

16 Sec. 2. As used in this act:

17 (a) "Campground" means a campground as defined in  
18 section 12501 of the public health code, ~~Act No. 368 of the~~  
19 ~~Public Acts of 1978, being section 333.12501 of the Michigan~~  
20 ~~Compiled Laws~~ 1978 PA 368, MCL 333.12501.

21 (b) "Code" means all or a part of the ~~mobile home~~  
22 MANUFACTURED HOUSING code promulgated ~~pursuant to~~ AS REQUIRED  
23 IN section 5.

24 (c) "Commission" means the ~~mobile home code~~ MANUFACTURED  
25 HOUSING commission CREATED UNDER SECTION 3.

1 (d) "Department" means the department of ~~commerce~~ CONSUMER  
2 AND INDUSTRY SERVICES.

3 (e) "Installer and repairer" means a person, including a  
4 ~~mobile~~ MANUFACTURED home dealer, who for compensation installs  
5 or repairs ~~mobile~~ MANUFACTURED homes.

6 (f) "Local government" means a county or municipality.

7 (g) ~~"Mobile"~~ "MANUFACTURED home" means a structure, trans-  
8 portable in 1 or more sections, ~~which~~ THAT is built on a chas-  
9 sis and designed to be used as a dwelling with or without per-  
10 manent foundation, when connected to the required utilities, and  
11 includes the plumbing, heating, air-conditioning, and electrical  
12 systems contained in the structure. MANUFACTURED HOME INCLUDES A  
13 MANUFACTURED HOME AS DEFINED IN SECTION 603(6) OF THE NATIONAL  
14 MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF  
15 1974, TITLE VI OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF  
16 1974, PUBLIC LAW 93-383, 42 U.S.C. 5402.

17 (h) ~~"Mobile"~~ "MANUFACTURED home dealer" means a person  
18 other than a manufacturer engaged in the business of buying  
19 ~~mobile~~ MANUFACTURED homes for resale, exchange, lease, or rent  
20 or offering ~~mobile~~ MANUFACTURED homes for sale, lease, rent, or  
21 exchange to customers.

22 (i) ~~"Mobile"~~ "MANUFACTURED home park" means a parcel or  
23 tract of land under the control of a person upon which 3 or more  
24 ~~mobile~~ MANUFACTURED homes are located on a continual, nonrecre-  
25 ational basis and ~~which~~ THAT is offered to the public for that  
26 purpose regardless of whether a charge is made ~~therefor~~ FOR  
27 THAT PURPOSE, together with ~~any~~ A building, structure,

1 enclosure, street, equipment, or facility used or intended for  
2 use incident to the occupancy of a ~~mobile~~ MANUFACTURED home.

3 (j) "Municipality" means a city, village, or township.

4 (k) "Person" means an individual, partnership, association,  
5 trust, or corporation, or ~~any~~ other legal entity or combination  
6 of legal entities.

7 (l) "Recreational vehicle" means a vehicle primarily  
8 designed and used as temporary living quarters for recreational,  
9 camping, or travel purposes, including a vehicle having its own  
10 motor power or a vehicle mounted on or drawn by another vehicle.

11 (m) "Seasonal ~~mobile~~ MANUFACTURED home park" means a  
12 parcel or tract of land under the control of a person upon which  
13 3 or more ~~mobile~~ MANUFACTURED homes are located on a continual  
14 or temporary basis but occupied on a temporary basis only ~~—~~ and  
15 ~~which~~ THAT is offered to the public for that purpose regardless  
16 of whether a charge is made ~~therefor~~ FOR THAT PURPOSE, together  
17 with ~~any~~ A building, enclosure, street, equipment, or facility  
18 used or intended for use incident to the occupancy of a ~~mobile~~  
19 MANUFACTURED home. Seasonal ~~mobile~~ MANUFACTURED home park does  
20 not include a campground licensed ~~pursuant~~ ACCORDING to sec-  
21 tions 12501 to 12516 of the public health code, ~~Act No. 368 of~~  
22 ~~the Public Acts of 1978, being sections 333.12501 to 333.12516 of~~  
23 ~~the Michigan Compiled Laws 1978 PA 368, MCL 333.12501 TO~~  
24 333.12516.

25 (n) "Security interest", "security agreement", "secured  
26 party", and "termination statement" have the same meanings as in  
27 the uniform commercial code, ~~Act No. 174 of the Public Acts of~~

1 ~~1962, being sections 440.1101 to 440.11102 of the Michigan~~  
 2 ~~Compiled Laws~~ 1962 PA 174, MCL 440.1101 TO 440.11102.

3       Sec. 3. (1) The ~~mobile home~~ MANUFACTURED HOUSING commis-  
 4 sion is created within the department. ~~of commerce.~~

5       (2) The commission consists of 11 members appointed by the  
 6 governor with the advice and consent of the senate, each of whom  
 7 shall be a citizen of this state.

8       (3) The members of the commission shall include each of the  
 9 following:

10       (a) A representative of an organization whose membership  
 11 consists of ~~mobile~~ MANUFACTURED home residents.

12       (b) A representative of financial institutions.

13       (c) ~~Two~~ THREE operators of a licensed ~~mobile~~  
 14 MANUFACTURED home park. ~~having 100 or more sites and 1 operator~~  
 15 ~~of a licensed mobile home park having less than 100 sites.~~

16       ~~(d) A representative of organized labor.~~

17       (D) ~~(e) An~~ TWO LOCALLY elected ~~official of a local~~  
 18 ~~government~~ OFFICIALS.

19       (E) ~~(f)~~ A licensed ~~mobile~~ MANUFACTURED home dealer.

20       (F) ~~(g) One resident~~ TWO RESIDENTS of a licensed ~~mobile~~  
 21 MANUFACTURED home park. ~~having 100 or more sites and 1 resident~~  
 22 ~~of a licensed mobile home park having less than 100 sites.~~

23       (G) ~~(h)~~ A manufacturer of ~~mobile~~ MANUFACTURED homes.

24       (4) A person appointed to be a member under  
 25 subsection (3)(a), (d), ~~(e), (g)~~ OR (F), or a member of that  
 26 person's immediate family shall not have more than a 1% ownership  
 27 interest in or income benefit from a manufacturer of ~~mobile~~

1 MANUFACTURED homes, a retail seller of ~~mobile~~ MANUFACTURED  
2 homes, a licensed ~~mobile~~ MANUFACTURED home park, or a supplier  
3 of ancillary products or services to the ~~mobile~~ MANUFACTURED  
4 home industry.

5       (5) The term of each member shall be for 3 years. A vacancy  
6 in the office of a member shall be filled by the governor for the  
7 remainder of the unexpired term, not more than 1 month after the  
8 vacancy is created, in the same manner as the original  
9 appointment.

10       (6) The per diem compensation of the commission and the  
11 schedule for reimbursement of expenses shall be established annu-  
12 ally by the legislature.

13       (7) Six members of the commission constitute a quorum for  
14 all purposes, notwithstanding the existence of a vacancy in the  
15 commission's membership. Action may be taken by the commission  
16 by a vote of a majority of the members appointed and serving.  
17 Meetings of the commission may be called by the chairperson or by  
18 3 members on 3 business days' actual notice. At least 1 meeting  
19 shall be held each calendar quarter. The commission may hold  
20 meetings anywhere in this state.

21       (8) The commission shall elect a member of the commission as  
22 its chairperson and another member as its vice-chairperson. The  
23 duties and powers of the chairperson and vice-chairperson ~~shall~~  
24 ~~be~~ ARE as prescribed in the commission's rules.

25       (9) A member of the commission may be removed from office by  
26 the governor for inefficiency, neglect of duty, or misconduct or  
27 malfeasance in office. A member of the commission who has a

1 direct pecuniary interest in a matter before the commission shall  
2 disclose that interest before the commission taking action with  
3 respect to the matter. ~~which~~ THE disclosure shall become a  
4 part of the record of the commission's official proceedings.

5 Sec. 4. (1) The commission may do all of the following:

6 (a) Promulgate rules to implement and administer this act.

7 (b) Act for the purpose of establishing a uniform policy  
8 relating to all phases of ~~mobile~~ MANUFACTURED home businesses,  
9 ~~mobile~~ MANUFACTURED home parks, and seasonal ~~mobile~~  
10 MANUFACTURED home parks.

11 (c) Determine the sufficiency of local ~~mobile~~ MANUFACTURED  
12 home ordinances ~~which~~ THAT are designed to provide A local  
13 ~~governments~~ GOVERNMENT with superintending control over  
14 ~~mobile~~ MANUFACTURED home businesses, ~~mobile~~ MANUFACTURED home  
15 parks, or seasonal ~~mobile homes~~ MANUFACTURED HOME parks.

16 (d) Conduct public hearings relating to the powers pre-  
17 scribed in this subsection.

18 (2) The director of ~~commerce~~ CONSUMER AND INDUSTRY  
19 SERVICES or an authorized representative of the director shall do  
20 all of the following:

21 (a) Administer the rules promulgated by the commission.

22 (b) Conduct hearings relating to violations of this act or  
23 rules promulgated under this act.

24 (c) Make investigations to determine compliance with this  
25 act and rules promulgated under this act.

26 (d) Provide assistance to the commission as the commission  
27 requires.

1       (3) The commission shall not act for the purpose of  
2 regulating ~~mobile~~ MANUFACTURED homes that are not located  
3 within a ~~mobile~~ MANUFACTURED home park or a seasonal ~~mobile~~  
4 MANUFACTURED home park, except as relates to the business, sales,  
5 and service practices of ~~mobile~~ MANUFACTURED home dealers and  
6 the business practices of ~~mobile~~ MANUFACTURED home installers  
7 and repairers.

8       Sec. 5. (1) The commission shall promulgate the ~~mobile~~  
9 ~~home~~ MANUFACTURED HOUSING code subject to section 4. The code  
10 shall consist of rules governing all of the following:

11       (a) The licensure, density, layout, permits for construc-  
12 tion, AND construction of ~~mobile~~ MANUFACTURED home parks  
13 including standards for roads, utilities, open space, or proposed  
14 recreational facilities, and safety measures sufficient to pro-  
15 tect health, safety, and welfare of ~~mobile~~ MANUFACTURED home  
16 park residents. ~~, except~~ THE RULES DO NOT GOVERN water supply,  
17 sewage collection and treatment, and drainage facilities ~~which~~  
18 ~~are regulated by~~ THAT the department of ~~public health~~  
19 ENVIRONMENTAL QUALITY REGULATES.

20       (b) The business, sales, and service practices of ~~mobile~~  
21 MANUFACTURED home dealers.

22       (c) The business practices of ~~mobile~~ MANUFACTURED home  
23 installers and repairers.

24       (d) The licensure and ~~regulations~~ REGULATION of ~~mobile~~  
25 MANUFACTURED home installers and repairers.



1 (e) The setup and installation of ~~mobile~~ MANUFACTURED  
 2 homes inside ~~mobile~~ MANUFACTURED home parks or seasonal  
 3 ~~mobile~~ MANUFACTURED home parks.

4 (f) The regulation of the responsibilities, under the  
 5 ~~mobile~~ MANUFACTURED home warranty, of the ~~mobile~~ MANUFACTURED  
 6 home components manufacturer, the ~~mobile~~ MANUFACTURED home  
 7 assembler or manufacturer, and the ~~mobile~~ MANUFACTURED home  
 8 dealer, including the time period and relationships of each under  
 9 the warranty, and the remedies available, if any, if the respon-  
 10 sible parties cease to operate as a business.

11 (g) Abuses relating to all of the following:

12 (i) Consumer deposits, except utility deposits from consum-  
 13 ers who are direct customers of utilities regulated by the  
 14 Michigan public service commission.

15 (ii) Detailed listing of furnishings and fixtures by a manu-  
 16 facturer of a new ~~mobile~~ MANUFACTURED home or a ~~mobile~~  
 17 MANUFACTURED home dealer for a used ~~mobile~~ MANUFACTURED home.

18 (iii) Disclosure and delivery of manufacturer's warranties.

19 (iv) Used ~~mobile~~ MANUFACTURED homes. A ~~mobile~~  
 20 MANUFACTURED home dealer shall provide detailed listing of its  
 21 service records for used ~~mobile~~ MANUFACTURED homes ~~which~~ THAT  
 22 are being sold by the dealer and ~~of which~~ THAT the dealer has  
 23 knowledge OF.

24 (h) Applications for and issuance of certificates of title  
 25 for ~~mobile~~ MANUFACTURED homes.

26 (2) As part of the code, the commission shall also  
 27 promulgate rules governing the licensure, density, layout,

1 permits for construction, and construction of seasonal ~~mobile~~  
 2 MANUFACTURED home parks. ~~including~~ THE RULES SHALL GOVERN  
 3 standards for roads, utilities, open space, proposed recreational  
 4 facilities, and safety measures sufficient to protect the health,  
 5 safety, and welfare of seasonal ~~mobile~~ MANUFACTURED home park  
 6 residents. ~~except~~ THE RULES SHALL NOT GOVERN water supply,  
 7 sewage collection and treatment, and drainage facilities ~~which~~  
 8 ~~shall be regulated by~~ THAT the department of ~~public health~~  
 9 ENVIRONMENTAL QUALITY REGULATES.

10 (3) ~~The~~ IN rules promulgated for seasonal ~~mobile~~  
 11 MANUFACTURED home parks, THE COMMISSION may impose a less strin-  
 12 gent standard than the rules promulgated for ~~mobile~~  
 13 MANUFACTURED home parks.

14 Sec. 6. (1) The department of ~~public health~~ ENVIRONMENTAL  
 15 QUALITY shall promulgate rules for ~~mobile~~ MANUFACTURED home  
 16 parks and seasonal ~~mobile~~ MANUFACTURED home parks setting forth  
 17 minimum standards regulating:

- 18 (a) Water supply system.
- 19 (b) Sewage collection and disposal system.
- 20 (c) Drainage.
- 21 (d) Garbage and rubbish storage and disposal.
- 22 (e) Insect and rodent control.
- 23 (f) General operation, maintenance, and safety.
- 24 (g) Certification of compliance under section 17.

25 (2) Representatives of local government shall act in an  
 26 advisory capacity in the promulgation of the code.

1 (3) The commission shall consult with appropriate state and  
2 local governments in developing the procedures for effective  
3 coordination of efforts. The commission shall recommend proce-  
4 dures to the governor and the legislature for coordinating state  
5 agency decisions and activities pertaining to this act.

6 Sec. 7. (1) ~~A local government which proposes a standard~~  
7 ~~related to mobile home parks or seasonal mobile home parks, or~~  
8 ~~related to mobile homes located within a mobile home park or a~~  
9 ~~seasonal mobile home park that is higher than the standard pro-~~  
10 ~~vided in this act or the code; or a standard related to the busi-~~  
11 ~~ness, sales, and service practices of mobile home dealers, or the~~  
12 ~~business of mobile home installers and repairers, that is higher~~  
13 ~~than the standard provided in this act or the code shall file the~~  
14 ~~proposed standard with the commission.~~ A LOCAL GOVERNMENT THAT  
15 PROPOSES 1 OR MORE OF THE FOLLOWING STANDARDS SHALL FILE THE PRO-  
16 POSED STANDARD WITH THE COMMISSION:

17 (A) A STANDARD RELATED TO MANUFACTURED HOME PARKS OR SEA-  
18 SONAL MANUFACTURED HOME PARKS, OR MANUFACTURED HOMES LOCATED  
19 WITHIN A MANUFACTURED HOME PARK OR A SEASONAL MANUFACTURED HOME  
20 PARK, THAT IS HIGHER THAN A STANDARD PROVIDED IN THIS ACT OR THE  
21 CODE.

22 (B) A STANDARD RELATED TO THE BUSINESS, SALES, AND SERVICE  
23 PRACTICES OF MANUFACTURED HOME DEALERS, OR THE BUSINESS OF MANU-  
24 FACTURED HOME INSTALLERS AND REPAIRERS, THAT IS HIGHER THAN THE  
25 STANDARD PROVIDED IN THIS ACT OR THE CODE.

26 (2) The commission may promulgate rules to establish the  
27 criteria and procedure for implementation of A higher ~~standards~~

1 STANDARD by a local government. The commission shall review and  
2 approve the proposed standard unless the standard is unreason-  
3 able, arbitrary, or not in the public interest. If the commis-  
4 sion does not approve or disapprove the proposed standard within  
5 60 days after it is filed with the commission, the standard  
6 ~~shall be considered~~ IS approved unless the local government  
7 grants the commission additional time to consider the standard.  
8 After the proposed standard is approved, the local government may  
9 adopt the standard by ordinance. The ordinance ~~shall~~ MUST  
10 relate to a specific section of the code.

11 (3) ~~-(2)-~~ A local government standard related to ~~mobile~~  
12 MANUFACTURED homes not located within a ~~mobile~~ MANUFACTURED  
13 home park or seasonal ~~mobile~~ MANUFACTURED home park need not be  
14 filed with the ~~mobile home~~ MANUFACTURED HOUSING commission,  
15 unless the standard relates to the business, sales, and service  
16 practices of ~~mobile~~ MANUFACTURED home dealers, or the business  
17 of ~~mobile~~ MANUFACTURED home installers and repairers.

18 (4) ~~-(3)-~~ A local government ordinance shall not be designed  
19 as exclusionary to ~~mobile~~ MANUFACTURED homes generally whether  
20 the ~~mobile~~ MANUFACTURED homes are located inside or outside of  
21 ~~mobile~~ MANUFACTURED home parks or seasonal ~~mobile~~  
22 MANUFACTURED home parks.

23 (5) ~~-(4)-~~ A local government ordinance shall not contain a  
24 standard for the setup or installation of ~~mobile~~ MANUFACTURED  
25 homes that is incompatible with, or is more stringent than,  
26 either of the following:

1 (a) The manufacturer's recommended setup and installation  
2 specifications.

3 (b) The ~~mobile~~ MANUFACTURED home setup and installation  
4 standards promulgated by the federal department of housing and  
5 urban development ~~pursuant to~~ UNDER the national manufactured  
6 housing construction and safety standards act of 1974, TITLE VI  
7 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, PUBLIC LAW  
8 93-383, 42 U.S.C. 5401 to 5426.

9 (6) ~~(5)~~ In the absence of ~~any~~ setup or installation  
10 specifications or standards for foundations as set forth in sub-  
11 section ~~(4)(a)~~ (5)(A) or (b), the local government standards  
12 for site-built housing ~~shall~~ apply.

13 (7) ~~(6)~~ A local government ordinance shall not contain  
14 roof configuration standards or special use zoning requirements  
15 that apply only to, or ~~excludes, mobile~~ THAT EXCLUDE,  
16 MANUFACTURED homes. A local government ordinance shall not con-  
17 tain a manufacturing or construction standard that is incompati-  
18 ble with, or is more stringent than, a standard promulgated by  
19 the federal department of housing and urban development ~~pursuant~~  
20 ~~to~~ UNDER the national manufactured housing construction and  
21 safety standards act of 1974, TITLE VI OF THE HOUSING AND COMMU-  
22 NITY DEVELOPMENT ACT OF 1974, PUBLIC LAW 93-383, 42 U.S.C. 5401  
23 to 5426. A local government ordinance may include reasonable  
24 standards relating to ~~mobile homes~~ A MANUFACTURED HOME located  
25 outside of ~~mobile~~ A MANUFACTURED home ~~parks~~ PARK or A sea-  
26 sonal ~~mobile~~ MANUFACTURED home ~~parks which ensure~~ PARK THAT  
27 ENSURES that ~~mobile homes compare~~ A MANUFACTURED HOME COMPARES

1 aesthetically to site-built housing located or allowed in the  
2 same residential zone.

3       Sec. 11. (1) A person who desires to develop a ~~mobile~~  
4 MANUFACTURED home park or a seasonal ~~mobile~~ MANUFACTURED home  
5 park shall submit a preliminary plan to the appropriate munici-  
6 pality, local health department, county road commission, and  
7 county drain commissioner for preliminary approval. The prelimi-  
8 nary plan shall include the location, THE layout, THE general  
9 design, and a general description of the project. The prelimi-  
10 nary plan shall not include detailed construction plans.

11       (2) The municipality may grant preliminary approval if the  
12 proposed ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~  
13 MANUFACTURED home park conforms to applicable laws and local  
14 ordinances not in conflict with this act and laws and ordinances  
15 relative to ALL OF THE FOLLOWING:

16       (a) Land use and zoning.

17       (b) Municipal water supply, sewage service, and drainage.

18       (c) Compliance with local fire ordinances and state fire  
19 laws.

20       (3) The county drain commissioner shall review and may  
21 approve outlet drainage. The county road commission shall review  
22 and may approve ingress and egress roads. The county road com-  
23 mission and the county drain commissioner shall adopt and publish  
24 standards to implement this subsection. The county road commis-  
25 sion and the county drain commissioner ~~shall~~ DO not have  
26 authority as to interior streets and drainage in the ~~mobile~~

1 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
2 park, unless the streets or drains are dedicated to the public.

3 (4) The local health department shall grant preliminary  
4 approval, under the guidance of the department of ~~public health,~~  
5 ~~for on-site water and sewage service and~~ ENVIRONMENTAL QUALITY,  
6 FOR general site suitability.

7 (5) If a reviewing agency as provided in this section has  
8 not returned the preliminary plan to the developer, either  
9 approved, modified, or disapproved within 60 days after it  
10 receives the preliminary plan, the preliminary plan ~~shall be~~ IS  
11 considered approved.

12 (6) Coordination of ~~approvals~~ APPROVAL by state and local  
13 governments shall be provided by the director of ~~public health~~  
14 THE DEPARTMENT OF ENVIRONMENTAL QUALITY before ~~it~~ THE DEPART-  
15 MENT OF ENVIRONMENTAL QUALITY may grant construction approval.

16 (7) The developer shall submit the preliminary approval with  
17 the final plans to the department of ~~public health~~  
18 ENVIRONMENTAL QUALITY for review before the department ~~of~~  
19 ~~commerce~~ may issue a construction permit.

20 (8) IF THE MUNICIPALITY'S SYSTEM FOR WATER SUPPLY AND SEWAGE  
21 SERVICE IS ESTABLISHED AND ACCESSIBLE, THE MANUFACTURED HOME PARK  
22 DEVELOPER OR SEASONAL MANUFACTURED HOME PARK DEVELOPER IS  
23 REQUIRED TO UTILIZE THAT SYSTEM. IF THE MUNICIPALITY ESTABLISHES  
24 A SYSTEM FOR WATER SUPPLY OR SEWAGE SERVICE AFTER THE MANUFAC-  
25 TURED HOME PARK OR SEASONAL MANUFACTURED HOME PARK IS CON-  
26 STRUCTED, THE MANUFACTURED HOME PARK OR SEASONAL MANUFACTURED  
27 HOME PARK IS REQUIRED TO UTILIZE THE MUNICIPALITY'S SYSTEM ONLY

1 IF THE PARK MAKES A SUBSTANTIAL CHANGE TO ITS SYSTEM. THIS  
2 SUBSECTION APPLIES ONLY TO A MANUFACTURED HOME PARK OR A SEASONAL  
3 MANUFACTURED HOME PARK CONSTRUCTED AFTER JANUARY 1, 2002.

4 Sec. 12. (1) When all preliminary approvals are made, the  
5 developer shall submit the legal documents and the final plans  
6 draft to the department.

7 (2) The department shall review the filing and, within  
8 90 days after filing, issue its approval or disapproval. Upon  
9 the approval of all the reviewing agencies, the department shall  
10 issue a permit to construct the ~~mobile~~ MANUFACTURED home park  
11 or seasonal ~~mobile~~ MANUFACTURED home park.

12 Sec. 13. (1) A person shall not construct a ~~mobile~~  
13 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
14 park without obtaining a permit issued by the department.

15 (2) Construction may begin ~~upon the granting of~~ WHEN THE  
16 DEPARTMENT GRANTS a permit to construct. ~~by the department.~~

17 Sec. 14. Upon completion of the construction of ~~the~~  
18 ~~mobile~~ A MANUFACTURED home park or seasonal ~~mobile~~  
19 MANUFACTURED home park, the owner or operator of the park and a  
20 registered professional engineer or architect shall file with the  
21 department an affidavit certifying that the ~~mobile~~ MANUFACTURED  
22 home park or seasonal ~~mobile~~ MANUFACTURED home park, lot, and  
23 work were completed in accordance with the approved specifica-  
24 tions and plans.

25 Sec. 16. (1) A person shall not operate a ~~mobile~~  
26 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
27 park without a license.



1 (2) Upon completion, review, and approval of certifications,  
2 the department shall grant a license to operate a ~~mobile~~  
3 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
4 park.

5 (3) An annual license shall be granted and renewed by the  
6 department based upon the certifications and recommendations of  
7 the appropriate agencies and local governments.

8 (4) If a person submits a timely application for renewal of  
9 a license and pays the appropriate fee, the person may continue  
10 to operate a ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~  
11 MANUFACTURED home park unless notified that the application for  
12 renewal is not approved.

13 (5) A campground ~~which~~ THAT is currently licensed under  
14 sections 12501 to 12516 of the public health code, ~~Act No. 368~~  
15 ~~of the Public Acts of 1978, being sections 333.12501 to 333.12516~~  
16 ~~of the Michigan Compiled Laws~~ 1978 PA 368, MCL 333.12501 TO  
17 333.12516, THAT was previously licensed under the licensing pro-  
18 visions of ~~Act No. 243 of the Public Acts of 1959, being sec-~~  
19 ~~tions 125.1035 to 125.1043 of the Michigan Compiled Laws~~ 1959  
20 PA 243, MCL 125.1035 TO 125.1043, as a seasonal trailer park, and  
21 ~~which~~ THAT currently meets the seasonal trailer park construc-  
22 tion standards under ~~Act No. 243 of the Public Acts of 1959~~  
23 1959 PA 243, MCL 125.1035 TO 125.1043, may apply for and shall be  
24 licensed as a seasonal ~~mobile~~ MANUFACTURED home park under this  
25 act if the campground meets all other requirements for licensure  
26 under this act as a seasonal ~~mobile~~ MANUFACTURED home park.

1       Sec. 16a. ~~Mobile~~ MANUFACTURED homes located in a seasonal  
2 ~~mobile~~ MANUFACTURED home park may be occupied on a full-time  
3 basis from April 1 to October 31, but shall not be occupied for  
4 more than 15 consecutive days in ~~any~~ A 30-day period from  
5 November 1 to March 31.

6       Sec. 17. (1) The department of ~~public health~~  
7 ENVIRONMENTAL QUALITY or its authorized representative shall con-  
8 duct an annual physical inspection of ~~mobile~~ MANUFACTURED home  
9 parks and seasonal ~~mobile~~ MANUFACTURED home parks in accordance  
10 with standards established by the department of ~~public health~~  
11 ENVIRONMENTAL QUALITY. If the ~~mobile~~ MANUFACTURED home park or  
12 seasonal ~~mobile~~ MANUFACTURED home park is approved, the depart-  
13 ment of ~~public health~~ ENVIRONMENTAL QUALITY shall issue a cer-  
14 tification of compliance to the department ~~of commerce~~ that the  
15 park is licensable.

16       (2) Except for purposes of issuing a license or renewing a  
17 license ~~pursuant to~~ UNDER this act, a local government may not  
18 make an inspection unless it has reason to believe that this act,  
19 the code, or rules promulgated ~~pursuant to~~ UNDER this act were  
20 violated.

21       Sec. 18. (1) A variance in the design and construction of a  
22 ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED  
23 home park may be granted upon notice of the request to the local  
24 government and the department of ~~public health~~ ENVIRONMENTAL  
25 QUALITY at the time of filing with the department. ~~of commerce.~~  
26 If the local government grants a variance ~~which~~ THAT would  
27 permit activities violative of the minimum standards of the code,

1 the local government shall file with the department a copy of the  
2 variance order and an explanation of the reason for the granting  
3 of the order. The department may approve or disapprove the vari-  
4 ance or revoke the variance upon notice and hearing.

5 (2) After a public hearing, the department may grant a spe-  
6 cific variance to a substantive requirement of the code if the  
7 literal application of the substantive requirement would result  
8 in an exceptional, practical difficulty to the applicant, and if  
9 the specific condition justifying the variance is neither so gen-  
10 eral nor recurrent in nature as to make an amendment of the code  
11 with respect to the condition reasonably practical or desirable.

12 (3) The department may attach in writing a condition in con-  
13 nection with the granting of a variance that in its judgment is  
14 necessary to protect the health, safety, and welfare of the  
15 people of this state. The variance shall not exceed the minimum  
16 necessary to alleviate the exceptional, practical difficulty.

17 (4) ~~A~~ ONLY A LOCAL GOVERNMENT MAY GRANT A variance to a  
18 local ordinance, zoning requirement, or local rule. ~~may be~~  
19 ~~granted only by a local government.~~

20 (5) ~~A~~ ONLY THE COMMISSION MAY GRANT A variance to a rule  
21 promulgated under this act. ~~may be granted only by the~~  
22 ~~commission.~~

23 Sec. 21. (1) A ~~mobile~~ MANUFACTURED home dealer shall not  
24 engage in the retail sale of a ~~mobile~~ MANUFACTURED home without  
25 a license.

26 (2) A ~~mobile~~ MANUFACTURED home dealer, ~~mobile~~  
27 MANUFACTURED home installer, or repairer may obtain an initial or

1 renewal license by filing with the commission an application  
2 together with consent to service of process in a form prescribed  
3 by the commission ~~pursuant~~ ACCORDING to section 35.

4 (3) An initial or renewal license under this act shall be  
5 issued for not more than 1 year. Licenses shall expire on  
6 October 1.

7 (4) The annual license fee for a ~~mobile~~ MANUFACTURED home  
8 dealer is \$150.00 or ~~any other~~ A lesser amount established  
9 ~~pursuant~~ ACCORDING to section 9(5).

10 (5) The annual license fee for a ~~mobile~~ MANUFACTURED home  
11 installer or repairer is \$50.00 or ~~any other~~ A lesser amount  
12 established ~~pursuant~~ ACCORDING to section 9(5).

13 (6) A licensed ~~mobile~~ MANUFACTURED home dealer, ~~mobile~~  
14 MANUFACTURED home installer, or repairer may file an application  
15 for the license of a successor, whether or not the successor is  
16 then in existence, for the unexpired portion of the year. The  
17 commission may grant or deny the application.

18 (7) A licensee who submits a timely application for renewal  
19 of a license and pays the appropriate fee may continue sales of  
20 ~~mobile~~ MANUFACTURED homes unless notified that the application  
21 for renewal is not approved.

22 Sec. 22. The commission may promulgate rules to require a  
23 licensed ~~mobile~~ MANUFACTURED home dealer to post a surety bond  
24 in an amount up to \$10,000.00 for each sales location and may  
25 determine conditions of the bond. An appropriate deposit of cash  
26 or securities shall be accepted in lieu of a bond ~~which~~ THAT is  
27 required.

1        Sec. 23. A licensed ~~mobile~~ MANUFACTURED home dealer shall  
2 make and keep accounts, and other records as the commission pre-  
3 scribes by rule. The records required shall be preserved for  
4 3 years unless the commission otherwise prescribes by rule for  
5 particular types of records. If the information contained in a  
6 record filed with the commission is or becomes inaccurate or  
7 incomplete in ~~any~~ A material respect, the licensee promptly  
8 shall file a correcting amendment.

9        Sec. 24. A ~~mobile~~ MANUFACTURED home dealer shall not DO 1  
10 OR MORE OF THE FOLLOWING:

11        (a) Advertise or represent a ~~mobile~~ MANUFACTURED home as  
12 other than calendar or model year.

13        (b) Misapply consumer deposits on a ~~mobile~~ MANUFACTURED  
14 home or a ~~mobile~~ MANUFACTURED home park.

15        (c) Fail to place deposits, down payments, or similar pay-  
16 ments for the purchase or right to purchase a ~~mobile~~  
17 MANUFACTURED home in a separate escrow account subject to return  
18 upon cancellation of the purchase order by the prospective pur-  
19 chaser under the rules or orders as the commission promulgates or  
20 issues unless the dealer ~~shall post~~ POSTS a bond or a deposit  
21 of cash or securities for protection of these payments in an  
22 amount acceptable to the commission.

23        (d) Fail to disclose to the department ~~any~~ direct or indi-  
24 rect business relationships with financial and loan institutions,  
25 banks, and insurance companies.

26        Sec. 25. (1) The commission shall promulgate rules relating  
27 to the responsibility of the ~~mobile~~ MANUFACTURED home dealer,

1 ~~mobile~~ MANUFACTURED home installer, and the ~~mobile~~  
 2 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
 3 park owner for installation and setup of a ~~mobile~~ MANUFACTURED  
 4 home.

5 (2) A person licensed under ~~any~~ 1 OR MORE of the following  
 6 acts shall not be required to be licensed as a ~~mobile~~  
 7 MANUFACTURED home installer and repairer in order to perform work  
 8 on ~~mobile~~ MANUFACTURED homes for which the person is licensed,  
 9 unless the work performed also includes the setup, installation,  
 10 or general repair of ~~mobile~~ MANUFACTURED homes:

11 (a) The electrical administrative act, ~~Act No. 217 of the~~  
 12 ~~Public Acts of 1956, being sections 338.881 to 338.892 of the~~  
 13 ~~Michigan Compiled Laws 1956 PA 217, MCL 338.881 TO 338.892.~~

14 (b) ~~Act No. 266 of the Public Acts of 1929, being sections~~  
 15 ~~338.901 to 338.917 of the Michigan Compiled Laws 1929 PA 266,~~  
 16 ~~MCL 338.901 TO 338.917.~~

17 (c) The Forbes mechanical contractors act, ~~Act No. 192 of~~  
 18 ~~the Public Acts of 1984, being sections 338.971 to 338.988 of the~~  
 19 ~~Michigan Compiled Laws 1984 PA 192, MCL 338.971 TO 338.988.~~

20 (3) The electrical administrative act, ~~Act No. 217 of the~~  
 21 ~~Public Acts of 1956, being sections 338.881 to 338.892 of the~~  
 22 ~~Michigan Compiled Laws 1956 PA 217, MCL 338.881 TO 338.892, Act~~  
 23 ~~No. 266 of the Public Acts of 1929, being sections 338.901 to~~  
 24 ~~338.917 of the Michigan Compiled Laws 1929 PA 266, MCL 338.901~~  
 25 ~~TO 338.917, and the Forbes mechanical contractors act, Act~~  
 26 ~~No. 192 of the Public Acts of 1984, being sections 338.971 to~~  
 27 ~~338.988 of the Michigan Compiled Laws 1984 PA 192, MCL 338.971~~

1 TO 338.988, ~~shall~~ DO not apply to the setup or installation of  
2 a ~~mobile~~ MANUFACTURED home and the following connections or  
3 replacement or repair of the following connections, by a licensed  
4 ~~mobile~~ MANUFACTURED home installer and repairer:

5 (a) Factory-installed electrical wiring, devices, appli-  
6 ances, or appurtenances to available electrical meters or  
7 pedestals.

8 (b) Factory-installed piping, fixtures, plumbing appliances,  
9 and plumbing appurtenances to sanitary drainage or storm drainage  
10 facilities, venting systems, or public or private water supply  
11 systems.

12 (c) Factory-installed process piping, heating and cooling  
13 equipment, and systems or supply lines to available service  
14 meters or mains.

15 Sec. 27. (1) A person shall not, in connection with the  
16 offer, sale, purchase, or rental of a ~~mobile~~ MANUFACTURED home,  
17 ~~mobile~~ MANUFACTURED home site, or RELATED equipment, ~~relating~~  
18 ~~thereto~~ DO EITHER OF THE FOLLOWING:

19 (a) Employ a devise, scheme, or artifice to defraud.

20 (b) Make an untrue statement of material fact or omit to  
21 state a material fact necessary to make the statement not mis-  
22 leading, in the light of the circumstances under which it is  
23 made.

24 (2) A person shall not willfully authorize, direct, or aid  
25 in publication, advertisement, distribution, or circulation of a  
26 statement or representation concerning a ~~mobile~~ MANUFACTURED  
27 home, ~~mobile~~ MANUFACTURED home site, or equipment relating

1 thereto, ~~which~~ THAT misrepresents the facts concerning the  
 2 ~~mobile~~ MANUFACTURED home, ~~mobile~~ MANUFACTURED home site, or  
 3 RELATED equipment. ~~relating thereto.~~

4 (3) A person with knowledge that an advertisement, pamphlet,  
 5 prospectus, or letter concerning a ~~mobile~~ MANUFACTURED home,  
 6 ~~mobile~~ MANUFACTURED home site, or RELATED equipment ~~relating~~  
 7 ~~thereto~~ contains a written statement that is false or fraudu-  
 8 lent, shall not issue, circulate, publish, or distribute the  
 9 advertisement, pamphlet, prospectus, or letter concerning a  
 10 ~~mobile~~ MANUFACTURED home, ~~mobile~~ MANUFACTURED home site, or  
 11 RELATED equipment. ~~relating thereto.~~

12 (4) A person shall not willfully make ~~any~~ A material mis-  
 13 representation in the sale of a ~~mobile~~ MANUFACTURED home,  
 14 ~~mobile~~ MANUFACTURED home site, or RELATED equipment. ~~relating~~  
 15 ~~thereto.~~

16 Sec. 28. (1) An owner or operator of a ~~mobile~~ MANUFACTURED  
 17 home park or seasonal ~~mobile~~ MANUFACTURED home park shall not  
 18 engage, or permit an employee or agent to engage, in ~~any of~~ the  
 19 following unfair or deceptive methods, acts, or practices:

20 (a) Directly or indirectly charging or collecting from a  
 21 person an entrance fee.

22 (b) Requiring a person to directly or indirectly purchase a  
 23 ~~mobile~~ MANUFACTURED home from another person as a condition of  
 24 entrance to, or lease or rental of, a ~~mobile~~ MANUFACTURED home  
 25 park or seasonal ~~mobile~~ MANUFACTURED home park space.

26 (c) Directly or indirectly charging or collecting from a  
 27 person a refundable or nonrefundable exit fee.



1 (d) Requiring or coercing a person to purchase, rent, or  
2 lease goods or services from another person as a condition of  
3 ~~any~~ 1 OR MORE of the following:

4 (i) Entering into a park or lease.

5 (ii) Selling a ~~mobile~~ MANUFACTURED home through the park  
6 owner or operator, or his or her agent or designee upon leaving a  
7 ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED  
8 home park.

9 (iii) Renting space in a ~~mobile~~ MANUFACTURED home park or  
10 seasonal ~~mobile~~ MANUFACTURED home park.

11 (e) Directly or indirectly charging or collecting from a  
12 person money or other thing of value for electric, fuel, or water  
13 service without the use of that service by a resident or tenant  
14 being first accurately and consistently measured, unless that  
15 service is included in the rental charge as an incident of  
16 tenancy.

17 (f) Conspiring, combining, agreeing, aiding, or abetting in  
18 the employment of a method, act, or practice that violates this  
19 act.

20 (g) Renting or leasing a ~~mobile~~ MANUFACTURED home or site  
21 in a ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~  
22 MANUFACTURED home park without offering a written lease.

23 (h) Subject to section 28a, prohibiting a resident from  
24 selling his or her ~~mobile~~ MANUFACTURED home on-site for a price  
25 determined by that resident, if the purchaser qualifies for ten-  
26 ancy and the ~~mobile~~ MANUFACTURED home meets the conditions of

1 written park rules or regulations. This subdivision does not  
2 apply to seasonal ~~mobile~~ MANUFACTURED home parks.

3 (i) Subject to reasonable ~~mobile~~ MANUFACTURED home park or  
4 seasonal ~~mobile~~ MANUFACTURED home park rules governing the  
5 location, size, and style of exterior television antenna, prohib-  
6 iting a person from installing or maintaining an exterior televi-  
7 sion antenna on a ~~mobile~~ MANUFACTURED home within the park  
8 unless the ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~  
9 MANUFACTURED home park provides park residents, without charge, a  
10 central television antenna for UHF-VHF reception.

11 (2) A tenant of a ~~mobile~~ MANUFACTURED home park or sea-  
12 sonal ~~mobile~~ MANUFACTURED home park may bring an action on his  
13 or her own behalf for a violation of this section.

14 (3) If the commission has reason to suspect that the owner  
15 of a ~~mobile~~ MANUFACTURED home park or seasonal ~~mobile~~  
16 MANUFACTURED home park is engaged in conduct that violates exist-  
17 ing water utility tariffs or qualifies the owner of a ~~mobile~~  
18 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
19 park for regulation as a water utility, the commission shall  
20 promptly send a written report of the alleged violation to the  
21 Michigan public service commission.

22 Sec. 28a. (1) ~~Mobile~~ MANUFACTURED home park rules or reg-  
23 ulations may include provisions governing the physical condition  
24 of ~~mobile homes~~ A MANUFACTURED HOME and the aesthetic charac-  
25 teristics of ~~mobile homes~~ A MANUFACTURED HOME in relation to  
26 the ~~mobile~~ MANUFACTURED home park in which they are located,  
27 subject to all of the following:

1 (a) The age or size of a ~~mobile~~ MANUFACTURED home shall  
2 not be used as the sole basis for refusing to allow an on-site,  
3 in-park sale or for refusing to allow the ~~mobile~~ MANUFACTURED  
4 home to remain on-site. The burden of going forward in a suit  
5 against the ~~mobile~~ MANUFACTURED home park owner or operator for  
6 violation of this subdivision is on the resident.

7 (b) The standards incorporated in the written park rules or  
8 regulations governing the physical condition and aesthetic char-  
9 acteristics of ~~mobile homes~~ A MANUFACTURED HOME in the ~~mobile~~  
10 MANUFACTURED home park ~~shall apply~~ APPLIES equally to all  
11 residents.

12 (c) A ~~mobile~~ MANUFACTURED home sold on-site shall conform  
13 with ~~Act No. 133 of the Public Acts of 1974, being sections~~  
14 ~~125.771 to 125.774 of the Michigan Compiled Laws~~ 1974 PA 133,  
15 MCL 125.771 TO 125.774.

16 (d) ~~Any~~ A charge connected to the on-site, in-park sale of  
17 a ~~mobile~~ MANUFACTURED home, other than the inspection fee per-  
18 mitted under subdivision (e) and the commission or fee charged by  
19 a ~~mobile~~ MANUFACTURED home dealer licensed under this act who  
20 is engaged by the seller to transact the sale, is an entrance or  
21 exit fee in violation of section 28.

22 (e) A park owner or operator may charge a reasonable fee to  
23 inspect the ~~mobile~~ MANUFACTURED home before sale. The charge  
24 shall not be more than \$30.00, or the amount charged for building  
25 permit inspections by the municipality in which the ~~mobile~~  
26 MANUFACTURED home is located, whichever is higher.

1 (f) The standards governing the physical condition of  
 2 ~~mobile homes~~ A MANUFACTURED HOME and the aesthetic  
 3 characteristics of ~~mobile homes~~ A MANUFACTURED HOME in the  
 4 ~~mobile~~ MANUFACTURED home park, as incorporated in the written  
 5 park rules, shall not be designed to defeat the intent of this  
 6 section.

7 (2) Subsection (1)(f) ~~shall~~ DOES not apply if the ~~mobile~~  
 8 MANUFACTURED home park is changing its method of doing business  
 9 and provides not less than 1 year's notice, unless a different  
 10 notice period is otherwise provided by law, of the proposed  
 11 change to all affected ~~mobile~~ MANUFACTURED home park  
 12 residents. A change in a ~~mobile~~ MANUFACTURED home park's  
 13 method of doing business includes, but is not limited to, ~~any~~ 1  
 14 OR MORE of the following:

15 (a) Conversion to a ~~mobile~~ MANUFACTURED home park condo-  
 16 minium ~~pursuant~~ ACCORDING to the condominium act, ~~Act No. 59~~  
 17 ~~of the Public Acts of 1978, being sections 559.101 to 559.275 of~~  
 18 ~~the Michigan Compiled Laws~~ 1978 PA 59, MCL 559.101 TO 559.276.

19 (b) Conversion to total rental of both ~~mobile~~ MANUFACTURED  
 20 home site and park-owned ~~mobile~~ MANUFACTURED homes.

21 (c) Changes in use of the land on which the ~~mobile~~  
 22 MANUFACTURED home park is located.

23 (3) Notwithstanding subsection (1) or (2), a ~~mobile~~  
 24 MANUFACTURED home park may require a ~~mobile~~ MANUFACTURED home  
 25 to be moved to a comparable site within the ~~mobile~~ MANUFACTURED  
 26 home park, at the expense of the ~~mobile~~ MANUFACTURED home  
 27 park.

1       (4) If, after termination of a resident's tenancy for just  
2 cause as provided in chapter 57a of the revised judicature act of  
3 1961, ~~Act No. 236 of the Public Acts of 1961, being sections~~  
4 ~~600.5771 to 600.5785 of the Michigan Compiled Laws~~ 1961 PA 236,  
5 MCL 600.5771 TO 600.5785, the resident of a ~~mobile~~ MANUFACTURED  
6 home park sells his or her ~~mobile~~ MANUFACTURED home to the  
7 owner or operator of the ~~mobile~~ MANUFACTURED home park, or to  
8 ~~any~~ AN entity in which the owner or operator has ~~any~~ AN  
9 interest, the resident ~~shall have~~ HAS the right to have the  
10 ~~mobile~~ MANUFACTURED home's value appraised and, if so  
11 appraised, the sale price of the ~~mobile~~ MANUFACTURED home shall  
12 not be less than the appraised value.

13       (5) Except as provided in subsection (1)(a), a ~~mobile~~  
14 MANUFACTURED home park owner or operator, or both, has the burden  
15 of going forward to show compliance with subsection (1).

16       Sec. 28b. A ~~mobile~~ MANUFACTURED home park rule that does  
17 either of the following shall not be enforced against a resident,  
18 unless the rule was proposed and in force before the resident was  
19 approved for tenancy in the ~~mobile~~ MANUFACTURED home park:

20       (a) Prohibits those children who were previously approved  
21 under prior park rules from residing in the ~~mobile~~ MANUFACTURED  
22 home park. A rule prohibiting children, or additional children,  
23 shall not be enforced against persons who were residents of the  
24 ~~mobile~~ MANUFACTURED home park at the time the rule was adopted  
25 until after 1 year's notice to those persons.

1 (b) Prohibits a resident from keeping those pets ~~which~~  
2 THAT were previously approved under prior park rules, except  
3 dangerous animals.

4 Sec. 28c. (1) A lease or rental agreement or rules or regu-  
5 lations that are adopted ~~pursuant~~ ACCORDING to a lease or  
6 rental agreement may include a provision that requires liquidated  
7 damages to be awarded to the prevailing party in a contested  
8 action to terminate a tenancy in a ~~mobile~~ MANUFACTURED home  
9 park for just cause under section 5775 of the revised judicature  
10 act of 1961, ~~Act No. 236 of the Public Acts of 1961, being~~  
11 ~~section 600.5775 of the Michigan Compiled Laws~~ 1961 PA 236,  
12 MCL 600.5775.

13 (2) A provision allowed under subsection (1) may require  
14 liquidated damages of not more than \$500.00 for an action in the  
15 district court and not more than \$300.00 for each appellate  
16 level. Liquidated damages shall not be construed to be a  
17 penalty.

18 Sec. 29. (1) A utility company shall notify the department  
19 10 days before shutoff of service for nonpayment, including  
20 sewer, water, gas, or electric service, when the service is being  
21 supplied to the licensed owner or operator of a ~~mobile~~  
22 MANUFACTURED home park or seasonal ~~mobile~~ MANUFACTURED home  
23 park for the use and benefit of the park's tenants.

24 (2) A MUNICIPALITY SHALL NOT CHARGE A MANUFACTURED HOME PARK  
25 OR A SEASONAL MANUFACTURED HOME PARK MORE TO PROVIDE A WATER  
26 SUPPLY SYSTEM OR SEWAGE SERVICE THAN THE AMOUNT THE MUNICIPALITY  
27 CHARGES OTHER CUSTOMERS TO PROVIDE THE SAME TYPE OF SERVICE.

1       Sec. 30. (1) After December 31, 1978, every ~~mobile~~  
2 MANUFACTURED home located in this state ~~shall be~~ IS subject to  
3 the certificate of title provisions of this act, except for ~~any~~  
4 A new ~~mobile~~ MANUFACTURED home owned by a manufacturer or  
5 licensed ~~mobile~~ MANUFACTURED home dealer and held for sale.

6       (2) After December 31, 1978, a certificate of title for a  
7 ~~mobile~~ MANUFACTURED home issued by the secretary of state  
8 before January 1, 1979, ~~pursuant~~ ACCORDING to ~~Act No. 300 of~~  
9 ~~the Public Acts of 1949, being sections 257.1 to 257.923 of the~~  
10 ~~Michigan Compiled Laws shall be~~ THE MICHIGAN VEHICLE CODE, 1949  
11 PA 300, MCL 257.1 TO 257.923, IS considered ~~to be~~ a certificate  
12 of title issued by the department under this act and ~~shall be~~  
13 IS subject to all of the provisions of this act ~~respecting~~  
14 REGARDING certificates of title.

15       (3) After December 31, 1978, a ~~mobile~~ MANUFACTURED home  
16 shall not be sold or transferred except by transfer of the cer-  
17 tificate of title for the ~~mobile~~ MANUFACTURED home ~~pursuant~~  
18 ~~to~~ UNDER this act.

19       Sec. 30a. (1) An owner of a ~~mobile~~ MANUFACTURED home  
20 ~~which~~ THAT is subject to the certificate of title provisions of  
21 this act shall ~~make application~~ APPLY to the department for the  
22 issuance of a certificate of title for the ~~mobile~~ MANUFACTURED  
23 home upon the appropriate form furnished by the department,  
24 accompanied by a fee of \$45.00 or ~~any~~ A lesser amount estab-  
25 lished ~~pursuant~~ ACCORDING to section 9(5). The application  
26 shall bear the signature of the owner written in ink, shall be

1 acknowledged by the owner before a person authorized to take  
2 acknowledgments, and shall contain ALL OF THE FOLLOWING:

3 (a) The name and address of the owner.

4 (b) A description of the ~~mobile~~ MANUFACTURED home, includ-  
5 ing the name of the manufacturer, the year and model, and the  
6 manufacturer's serial number or, in the absence of a serial  
7 number, a number assigned by the department. A number assigned  
8 by the department shall be permanently placed on the ~~mobile~~  
9 MANUFACTURED home in the manner and place designated by the  
10 department.

11 (c) A statement of the names and addresses of the holders of  
12 ~~any~~ security interests in the ~~mobile~~ MANUFACTURED home, in  
13 the order of ~~their~~ priority.

14 (d) Further information as may reasonably be required by the  
15 department to enable it to determine whether the owner of the  
16 ~~mobile~~ MANUFACTURED home is entitled to a certificate of title  
17 for the ~~mobile~~ MANUFACTURED home.

18 (2) If the department is not satisfied as to the ownership  
19 of the ~~mobile~~ MANUFACTURED home, before issuing a certificate  
20 of title for it, the department may require the applicant to file  
21 a properly executed surety bond in a form prescribed by the  
22 department, executed by the applicant and a company authorized to  
23 conduct a surety business in this state. The bond shall be in an  
24 amount equal to twice the value of the ~~mobile~~ MANUFACTURED home  
25 as determined by the department and shall be conditioned to  
26 indemnify or reimburse the department, ~~any~~ A prior owner, ~~any~~  
27 A holder of a security interest in the ~~mobile~~ MANUFACTURED



1 home, and ~~any~~ A subsequent purchaser of the ~~mobile~~  
 2 MANUFACTURED home, and their successors in interest, against  
 3 ~~any~~ expense, loss, or damage, including reasonable attorney's  
 4 fees, by reason of the issuance of a certificate of title to the  
 5 ~~mobile~~ MANUFACTURED home or on account of ~~any~~ A defect in the  
 6 right, title, or interest of the applicant in and to the ~~mobile~~  
 7 MANUFACTURED home. Each interested person has a right of action  
 8 to recover on the bond for a breach of its conditions, but the  
 9 aggregate liability of the surety to all persons ~~shall~~ DOES not  
 10 exceed the amount of the bond. The bond shall be returned at the  
 11 end of 5 years, or before 5 years if the currently valid certifi-  
 12 cate of title is surrendered to the department, unless the  
 13 department has received notification ~~of the pendency of~~ THAT an  
 14 action IS PENDING to recover on the bond.

15 (3) The department shall examine and determine the genuine-  
 16 ness, regularity, and legality of an application for a certifi-  
 17 cate of title for a ~~mobile~~ MANUFACTURED home and of any other  
 18 application lawfully made to the department. ~~, and~~ THE  
 19 DEPARTMENT may in all cases ~~make investigation~~ INVESTIGATE or  
 20 require additional information as ~~may be considered~~ IT  
 21 CONSIDERS necessary. ~~, and~~ THE DEPARTMENT shall reject ~~any~~ AN  
 22 application if not satisfied of the genuineness, regularity, or  
 23 legality of it or the truth of ~~any~~ A statement contained in it,  
 24 or for any other reason, when authorized by law.

25 (4) The fee for obtaining a duplicate, replacement, or cor-  
 26 rected title, for placing or terminating a lien on the title, or

1 for placing a name on the title is \$15.00 or ~~any other~~ A lesser  
2 amount established ~~pursuant~~ ACCORDING to section 9(5).

3       Sec. 30b. (1) The department upon receipt of the required  
4 application and fees shall issue a certificate of title except as  
5 otherwise provided.

6       (2) The certificate of title shall contain ~~upon~~ ON its  
7 face the date issued, the name and address of the owner, a  
8 description of the ~~mobile~~ MANUFACTURED home as determined by  
9 the department, a statement of all security interests in the  
10 ~~mobile~~ MANUFACTURED home as set forth in the application, the  
11 date on which the application was filed, and other information as  
12 the department may require.

13       (3) The certificate of title shall contain ~~upon~~ ON the  
14 reverse side forms for assignment of title or interest and war-  
15 ranty of title by the owner with space for notation of security  
16 interests in the ~~mobile~~ MANUFACTURED home at the time of a  
17 transfer to be signed in ink, and other forms as the department  
18 may consider necessary to facilitate the effective administration  
19 of this section. The certificate shall bear the seal of the  
20 department.

21       (4) The certificate of title shall be mailed or delivered to  
22 the owner or other person as the owner may direct in a separate  
23 instrument, in the form ~~as the department shall prescribe~~ THE  
24 DEPARTMENT PRESCRIBES.

25       Sec. 30c. (1) If the owner of a ~~mobile~~ MANUFACTURED home  
26 transfers or assigns the owner's title or interest to the  
27 ~~mobile~~ MANUFACTURED home, the owner shall ~~indorse~~ ENDORSE on

1 the back of the certificate of title an assignment of the  
2 ~~mobile~~ MANUFACTURED home with warranty of title with a state-  
3 ment of all security interests in the ~~mobile~~ MANUFACTURED home.  
4 ~~, and~~ THE OWNER shall ~~cause~~ MAIL OR DELIVER the certificate  
5 ~~to be mailed or delivered~~ to the department or to the purchaser  
6 or transferee at the time of the delivery to the purchaser or  
7 transferee of the ~~mobile~~ MANUFACTURED home.

8 (2) Upon the delivery of a ~~mobile~~ MANUFACTURED home and  
9 the transfer, sale, or assignment of the title or interest in a  
10 ~~mobile~~ MANUFACTURED home, the effective date of the transfer of  
11 title or interest ~~shall be~~ IS the date of execution of either  
12 the application for title or the certificate of title.

13 (3) The purchaser or transferee, unless the purchaser or  
14 transferee is a licensed dealer, shall ~~cause to be presented~~  
15 PRESENT to the department the certificate of title accompanied by  
16 ~~the~~ 1 OF THE FOLLOWING applicable ~~fee, as follows~~ FEES:

17 (a) Except as provided in subdivision (b) or (c), \$45.00.

18 (b) Except as provided in subdivision (c), \$15.00, if the  
19 sale, assignment, or other transfer will require the addition or  
20 deletion from the certificate of title of ~~any~~ 1 OR MORE of the  
21 following:

22 (i) The owner's spouse.

23 (ii) A person related to the owner within the fourth degree  
24 of consanguinity as computed by the civil law method.

25 (iii) A person related to the owner's spouse within the  
26 fourth degree of consanguinity as computed by the civil law  
27 method.

1       (c) ~~Any other~~ A lesser amount established ~~pursuant~~  
2 ACCORDING to section 9(5).

3       (4) Upon presentation of the certificate of title accom-  
4 panied by the applicable fee, a new certificate of title shall be  
5 issued. A certificate of title issued under subsection (3) and  
6 this subsection shall be mailed or delivered to the owner or ~~any~~  
7 ~~other~~ ANOTHER person AS the owner ~~may direct~~ DIRECTS in a sep-  
8 arate instrument in a form as ~~prescribed by~~ the department  
9 PRESCRIBES.

10       (5) If a security interest is reserved or created at the  
11 time of the transfer, the parties shall comply with section 30d.

12       (6) If the transferee of a ~~mobile~~ MANUFACTURED home is a  
13 ~~mobile~~ MANUFACTURED home dealer who holds the ~~mobile~~  
14 MANUFACTURED home for resale, the dealer ~~shall~~ IS not ~~be~~  
15 required to forward the certificate of title to the department,  
16 but the dealer shall retain possession of the assigned certifi-  
17 cate of title. Upon transfer of the dealer's title or interest  
18 to another person, the dealer shall execute and acknowledge an  
19 assignment and warranty of title upon the certificate of title  
20 and deliver it to the person to whom the transfer is made if the  
21 person is a licensed dealer; otherwise, application for a new  
22 title shall be made by the transferor as provided in  
23 section 30a(1).

24       Sec. 30d. (1) If an owner named in a certificate of title  
25 creates a security interest in the ~~mobile~~ MANUFACTURED home  
26 described in the certificate, ALL OF THE FOLLOWING APPLY:

1 (a) The owner shall immediately execute an application in  
2 the form ~~prescribed by~~ the department PRESCRIBES showing the  
3 name and address of the holder of the security interest and  
4 deliver the certificate of title, application, and a fee of \$1.00  
5 together with a copy of the application ~~which~~ THAT need not be  
6 signed, to the holder of the security interest.

7 (b) The holder of the security interest shall ~~cause~~ MAIL  
8 OR DELIVER the certificate of title, application, and fee and the  
9 copy of the application ~~to be mailed or delivered~~ to the  
10 department.

11 (c) The department shall indicate on the copy of the appli-  
12 cation the date and place of filing of the application and return  
13 the copy to the person presenting it.

14 (d) Upon receipt of the certificate of title, application,  
15 and the required fee, the department shall issue a new certifi-  
16 cate in the form provided by section 30b setting forth the name  
17 and address of each holder of a security interest in the mobile  
18 home for which a termination statement has not been filed and the  
19 date ~~on which~~ THAT the application first stating the security  
20 interest was filed, and mail the certificate to the owner.

21 (2) A holder of a security interest may assign, absolutely  
22 or otherwise, the security interest to a person other than the  
23 owner without affecting the interest of the owner or the validity  
24 of the security interest, but a person without notice of the  
25 assignment is protected in dealing with the holder of the secur-  
26 ity interest as the holder of the security interest. The  
27 assignee may have the certificate of title ~~indorsed~~ ENDORSED

1 with the assignee named as the holder of the security interest by  
2 providing the department with a copy of the assignment instrument  
3 but the failure of the assignee to do so ~~shall~~ DOES not affect  
4 the validity of the security interest or the assignment of the  
5 security interest.

6 (3) The filing under this section or under section 30a of an  
7 application for a certificate of title showing the name and  
8 address of the holder of a security interest in a ~~mobile~~  
9 MANUFACTURED home is equivalent to the filing of a financing  
10 statement with respect to the security interest under article 9  
11 of the uniform commercial code, ~~Act No. 174 of the Public Acts~~  
12 ~~of 1962, being sections 440.9101 to 440.9994 of the Michigan~~  
13 ~~Compiled Laws~~ 1962 PA 174, MCL 440.9101 TO 440.9994.

14 (4) ~~When~~ IF there is not an outstanding obligation or com-  
15 mitment to make advances, incur obligations, or otherwise give  
16 value, secured or to be secured by a security interest in a  
17 ~~mobile~~ MANUFACTURED home, the secured party shall, within  
18 10 days after satisfaction of the obligation and, in any event  
19 within 30 days, execute a termination statement in the form  
20 ~~prescribed by~~ the department PRESCRIBES and mail or deliver the  
21 termination statement to the owner or other person as the owner  
22 may direct. The owner other than a dealer holding the ~~mobile~~  
23 MANUFACTURED home for resale, shall promptly ~~cause~~ MAIL OR  
24 DELIVER the certificate, all termination statements, and an  
25 application for certificate of title accompanied by a fee of  
26 \$1.00 ~~to be mailed or delivered~~ to the department. ~~, which~~  
27 THE DEPARTMENT shall issue a new certificate.

1       Sec. 30e. (1) If the interest of the owner in a ~~mobile~~  
2 MANUFACTURED home is terminated by the enforcement of a security  
3 agreement, the transferee of the owner's interest shall promptly  
4 mail or deliver to the department the last certificate of title,  
5 if the transferee ~~has possession of~~ POSSESSES it; ~~an appli-~~  
6 cation for a new certificate in the form ~~prescribed by~~ the  
7 department ~~,~~ PRESCRIBES; and an affidavit made by or on behalf  
8 of the holder of the security interest so enforced that the  
9 ~~mobile~~ MANUFACTURED home was repossessed, that the interest of  
10 the owner was lawfully terminated by enforcement of the security  
11 agreement, and whether the holder has delivered the last certifi-  
12 cate of title to the transferee of the owner's interest, naming  
13 the transferee, or if not, the reason delivery was not made and  
14 the ~~then~~ location of the certificate of title so far as known  
15 to the holder. If the holder of the security interest succeeds  
16 to the interest of the owner and holds the ~~mobile~~ MANUFACTURED  
17 home for resale, the holder shall not be required to secure a new  
18 certificate of title but, upon transfer to another person, shall  
19 promptly mail or deliver to the transferee or to the department  
20 the certificate, if in the holder's possession, the affidavit,  
21 and other documents required to be sent to the department by the  
22 transferee.

23       (2) If the interest of the owner in a ~~mobile~~ MANUFACTURED  
24 home is terminated by sale ~~pursuant to~~ THROUGH a levy of execu-  
25 tion, attachment, or other process of a court, the transferee of  
26 the owner's interest shall promptly mail or deliver to the  
27 department the last certificate of title, if the transferee ~~has~~

1 ~~possession of~~ POSSESSES it; ~~—~~, an application for a new  
2 certificate of title in the form ~~prescribed by~~ the department  
3 PRESCRIBES; and an affidavit, upon a form ~~prescribed by~~ the  
4 department PRESCRIBES, made by the officer of the court who con-  
5 ducted the sale, setting forth the date of the sale, ~~and~~ the  
6 name of the purchaser, and whether the officer has delivered the  
7 certificate of title to the purchaser ~~and~~ OR, if not, the  
8 reason delivery was not made and the ~~then~~ location of the cer-  
9 tificate of title so far as known to the officer.

10 (3) A person holding a certificate of title ~~where~~ IF the  
11 interest of the owner named in the certificate has been termi-  
12 nated in the manner provided by subsection (1) or (2) shall mail  
13 or deliver the certificate to the department upon its request.  
14 The delivery of the certificate ~~pursuant~~ IN RESPONSE to the  
15 request of the department does not affect the rights of the  
16 person surrendering the certificate, and the action of the  
17 department in issuing a new certificate of title is not conclu-  
18 sive ~~upon any~~ ON THE rights of an owner or holder of a security  
19 interest named in the old certificate.

20 (4) The department, upon receipt of an application for a new  
21 certificate of title by a transferee in the manner provided by  
22 subsection (1) or (2), with proof of the transfer, the required  
23 fee, and ~~any~~ other documents required by law, shall issue a new  
24 certificate of title in the name of the transferee as owner, set-  
25 ting forth all security interests noted on the last certificate  
26 of title as having priority over the security agreement so  
27 enforced and shall mail or deliver the new certificate to the



1 owner. If the outstanding certificate of title is not delivered,  
2 the department shall make demand for the outstanding certificate  
3 of title from the holder.

4 Sec. 30f. The department shall retain and appropriately  
5 file every surrendered certificate of title. The file shall be  
6 maintained ~~so as to permit~~ IN A MANNER THAT PERMITS the tracing  
7 of title of the ~~mobile~~ MANUFACTURED home designated in a sur-  
8 rendered certificate for a period of 10 years.

9 Sec. 30g. (1) The department may cancel or refuse to issue  
10 a certificate of title IF 1 OR MORE OF THE FOLLOWING APPLY:

11 (a) ~~If the~~ THE department is satisfied that the certifi-  
12 cate of title was fraudulently or erroneously issued.

13 (b) ~~If the~~ THE department determines that the holder of  
14 the certificate has made or is making ~~an~~ unlawful use of the  
15 certificate.

16 (c) ~~If the~~ THE department determines that the required fee  
17 has not been paid and the fee is not paid upon reasonable notice  
18 or demand.

19 (d) ~~If the~~ THE department is authorized under ~~any other~~  
20 ANOTHER provision of this act.

21 (e) ~~Upon receipt of~~ THE DEPARTMENT RECEIVES notification  
22 from another state or foreign country that a certificate of title  
23 issued by the department has been surrendered by the owner in  
24 conformity with the laws of the other state or foreign country.

25 (f) ~~If it~~ IT is shown by satisfactory evidence that deliv-  
26 ery of a ~~mobile~~ MANUFACTURED home in the possession of a dealer

1 was not made to the applicant to whom the certificate was  
2 issued.

3 (2) Before a cancellation under subsection (1)(a), (b), or  
4 (d) is made, the person affected shall be given notice and an  
5 opportunity to be heard.

6 Sec. 30h. The commission in consultation with the secretary  
7 of state shall promulgate rules, ~~which~~ THAT shall further  
8 define and distinguish between the term ~~mobile~~ MANUFACTURED  
9 home as used in this act and the term trailer coach as used in  
10 the Michigan vehicle code, ~~Act No. 300 of the Public Acts of~~  
11 ~~1949, being sections 257.1 to 257.923 of the Michigan Compiled~~  
12 ~~Laws~~ 1949 PA 300, MCL 257.1 TO 257.923.

13 Sec. 31. A person who offers, sells, or purchases a  
14 ~~mobile~~ MANUFACTURED home or equipment or a ~~mobile~~  
15 MANUFACTURED home site in violation of this act or the code may  
16 have an action brought against him or her to rescind the transac-  
17 tion and recover damages.

18 Sec. 38. (1) The department may issue an order to show  
19 cause why an order imposing sanctions or penalties allowed under  
20 this act should not be issued by the commission if the department  
21 finds BOTH that the order is in the public interest ~~,~~ and ~~any~~  
22 1 OR MORE of the following:

23 (a) An application filed pertaining to a license, a disclo-  
24 sure statement, or a related document filed with the department  
25 in connection with a ~~mobile~~ MANUFACTURED home license ~~,~~ is  
26 incomplete in ~~any~~ A material respect or contains a statement

1 ~~which~~ THAT is false or misleading, in the light of the  
2 circumstances under which it is made.

3 (b) A provision of this act, or a rule, order, or condition  
4 lawfully imposed under this act, was not complied with or was  
5 violated in connection with the offering by the person filing the  
6 document; the developer, dealer, or operator; a partner, officer,  
7 director, proprietor, or manager of the developer, dealer, or  
8 operator; or a person directly or indirectly controlling, or  
9 directly controlled by, the developer, dealer, or operator.

10 (c) The project worked or tended to work a fraud or decep-  
11 tion or would so operate, or the project would create an unrea-  
12 sonable risk to A prospective ~~tenants~~ TENANT, as defined by  
13 rules promulgated by the commission.

14 (d) The developer, dealer, or operator; a partner, officer,  
15 director, proprietor, or manager of the developer, dealer, or  
16 operator; a person directly or indirectly controlling, or  
17 directly controlled by, the developer, dealer, or operator; or a  
18 person identified in the application for a license ~~,~~ or IN a  
19 disclosure statement ~~,~~ was within the ~~past~~ 10 years  
20 IMMEDIATELY PRECEDING THE DATE OF THE ORDER convicted of an  
21 offense under this act, ~~or~~ is the subject of an administrative  
22 order issued under this act, or had a civil judgment entered  
23 against him or her as a result of a violation of this act or a  
24 rule promulgated or order issued ~~pursuant to~~ UNDER this act,  
25 and the department determines that the involvement of the person  
26 in the sale or development of the project creates an unreasonable

1 risk to A prospective ~~tenants~~ TENANT or ~~mobile~~ A MANUFACTURED  
2 home ~~purchasers~~ PURCHASER.

3       (e) The developer, dealer, or operator; a partner, officer,  
4 director, proprietor, or manager of the developer, DEALER, OR  
5 OPERATOR; a person directly controlling, or directly controlled  
6 by, or indirectly the developer, dealer, or operator; or a person  
7 identified in the application for a license ~~,~~ or IN a disclo-  
8 sure statement ~~,~~ was convicted of a violation, or WAS the  
9 subject of an administrative order or civil judgment as a result  
10 of a violation, of a statute regulating the offering of securi-  
11 ties or franchises or licensing or regulating builders, real  
12 estate brokers, or real estate salespersons, or WAS CONVICTED of  
13 A violation of the land sales act, ~~Act No. 286 of the Public~~  
14 ~~Acts of 1972, being sections 565.801 to 565.835 of the Michigan~~  
15 ~~Compiled Laws~~ 1972 PA 286, MCL 565.801 TO 565.835, or a rule  
16 promulgated or an order issued under that act.

17       (f) The applicant's method of business, construction, devel-  
18 opment, or sales includes or would include activities ~~which~~  
19 THAT are illegal.

20       (g) The applicant failed to pay the proper fee.

21       (h) The applicant failed to comply with the state warranty  
22 laws.

23       (2) ~~When~~ IF it appears to the department that a person  
24 engaged in an act or practice constituting a violation of this  
25 act or a rule promulgated or order issued under this act, the  
26 department may issue a notice to show cause why a cease and  
27 desist order should not be issued.

1 (3) After 10 days' notice and opportunity for hearing, the  
2 department may stop construction as to part or all of a project  
3 if continuing the building will cause irreparable harm to resi-  
4 dents and prospective residents of the project.

5 Sec. 43. (1) If, after notice and a hearing as provided in  
6 the administrative procedures act of 1969, ~~Act No. 306 of the~~  
7 ~~Public Acts of 1969, being sections 24.201 to 24.328 of the~~  
8 ~~Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO 24.328, a  
9 person is determined to have violated this act, the commission  
10 may impose 1 or more of the following penalties:

11 (a) Censure.

12 (b) Probation.

13 (c) Placement of a limitation on a license.

14 (d) Suspension of a license. The commission may request the  
15 appointment of a receiver when taking action under this  
16 subdivision.

17 (e) Revocation of a license. The commission may request the  
18 appointment of a receiver when taking action under this  
19 subdivision.

20 (f) Denial of a license.

21 (g) A civil fine of not more than \$10,000.00.

22 (h) A requirement that restitution be made.

23 (2) A fine collected under this section shall be deposited  
24 with the state treasurer and credited to the ~~mobile home~~  
25 MANUFACTURED HOUSING commission fund.

26 (3) This section does not prohibit actions being taken under  
27 other sections of this act.

1       (4) The pursuit in court of the lawful rights of a licensee  
2 does not constitute a violation of this act, regardless of the  
3 outcome of the court action.

4       Enacting section 1. Section 49 of the mobile home commis-  
5 sion act, 1987 PA 96, MCL 125.2349, is repealed.