

DANGEROUS BUILDINGS

House Bill 4081

Sponsor: Rep. Gary Woronchak

Committee: Regulatory Reform

Complete to 3-12-03

A SUMMARY OF HOUSE BILL 4081 AS INTRODUCED 1-29-03

The Housing Law authorizes a local government to act against the owner of a “dangerous building” and allows it to demolish or repair a building if, after a series of hearings and notices, the owner fails to comply with an order to demolish or repair the building. The owner or party in interest in whose name the property appears must reimburse the local unit. House Bill 4081 would amend the act in the following ways:

- The bill would add to the definition of “dangerous building” so that the term would specifically include cases where a portion of a building was damaged by deterioration, neglect, abandonment, or vandalism (in addition to buildings damaged by fire, wind, flood, and other catastrophic causes).

- Currently, the act says that, in the case of an order of demolition, if the local legislative body or board of appeals determines that the building or structure has been substantially destroyed by fire, wind, flood, or other natural disaster, and the cost of repair will be greater than its state equalized value (SEV), then the owner, agent, or lessee would have to comply with the demolition within 21 days after the date of the hearing. The bill would add deterioration, neglect, abandonment, and vandalism to the list of destructive forces, and replace the term “natural disaster” with “cause” so as to include any manmade damage. It would also specify that if the estimated cost of repair of a building or structure exceeded the state equalized valuation of the building or structure, a presumption would exist that the building or structure required immediate demolition.

- Under the act, the cost of demolition incurred by a city, village, or township must be reimbursed to the unit by the owner or party in interest in whose name the property appears. The bill would specify that the cost of demolition would include, but not be limited to, fees paid to hearing officers, costs of title searches or commitments used to determine the parties in interest, recording fees for notices and liens filed with the register of deeds, demolition and dumping charges, court reporter attendance fees, and costs of the collection of the charges authorized under the act.

- The act states that an owner aggrieved by a final decision or order of the local legislative body or the board of appeals concerning an action against the owner to recover the municipality’s costs regarding the repair or demolition of a dangerous building may appeal the

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decision or order to the circuit court by filing a petition for an order of superintending control within 20 days. Instead, the bill would specify that an owner could file a claim of appeal as provided by the Michigan Court Rules within the 20-day timeframe.

MCL 125.539 et al.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.