



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

Senate Bill 230 (as introduced 2-27-03)

Sponsor: Senator Virg Bernero

Committee: Local, Urban and State Affairs

Date Completed: 5-22-03

CONTENT

The bill would amend Article 7 of the Housing Law of Michigan, which provides for the enforcement of the Law's provisions, to allow a building or structure to be removed if it remained vacant, boarded, or both, and a significant attempt had not been made to rehabilitate the building or structure for 24 months.

Currently, a building may not be removed unless the cost of its repair will exceed the State equalized valuation (SEV) of the building. Under the bill, this provision also would apply to a "structure". The bill's provision allowing the removal of a building or structure would be an exception to this restriction.

MCL 125.534

BACKGROUND

Article 7 requires a local enforcing agency to inspect multiple dwellings and rooming houses at least once every two years, and permits the agency to inspect other dwellings at reasonable intervals. Upon finding a dwelling in violation of the Law, the agency must provide the owner, and may provide the occupant, with written notice specifying the inspection date, the inspector's name, the nature of the violation, and the date by which the violation must be corrected. If the owner or occupant fails to comply with the terms of the order to correct the violation, the enforcing agency may bring an action to enforce the Law and to abate or enjoin the violation. An owner or occupant also may bring an action to enforce the Law. If the violation remains uncorrected and creates an imminent danger to the health and safety of either the occupants or the general public, the enforcing agency must file a motion for a preliminary injunction or other temporary relief to remove the danger while the action is pending. In making its orders and determinations, the court may authorize the agency to make the repairs or to remove the building, and issue other orders.

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would have a negligible fiscal impact on State government and a minimal fiscal impact on local government.

Fiscal Analyst: David Zin

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