

HOUSE BILL No. 5080

August 1, 2007, Introduced by Rep. Knollenberg and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

A bill to amend 1978 PA 59, entitled
"Condominium act,"
(MCL 559.101 to 559.276) by adding section 63a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 63A. (1) THE OFFICE OF THE CONDOMINIUM OMBUDSMAN IS
2 CREATED IN THE ADMINISTRATOR. THE CONDOMINIUM OMBUDSMAN SHALL
3 DEVELOP PROGRAMS TO DO ALL OF THE FOLLOWING:

4 (A) ASSIST THE PRIVATE SECTOR TO UNDERSTAND THEIR LEGAL RIGHTS
5 AND RESPONSIBILITIES UNDER THE LAW AND THE CONDOMINIUM DOCUMENTS.

6 (B) MONITOR AND REVIEW PROCEDURES AND DISPUTES CONCERNING
7 CONDOMINIUM ELECTIONS AND MEETINGS.

8 (C) ENCOURAGE AND FACILITATE VOLUNTARY MEETINGS WITH AND
9 BETWEEN CONDOMINIUM UNIT OWNERS, THE ASSOCIATION OF CO-OWNERS, THE

1 BOARD OF DIRECTORS FOR THE ASSOCIATION OF CO-OWNERS, AND OTHER
2 INTERESTED OR AFFECTED PARTIES.

3 (D) ACT AS A NEUTRAL RESOURCE CONCERNING THE RIGHTS AND
4 RESPONSIBILITIES OF INDIVIDUAL CONDOMINIUM UNIT OWNERS AND THE
5 ASSOCIATION OF CO-OWNERS AND ANY BOARD OF DIRECTORS FOR THE
6 ASSOCIATION OF CO-OWNERS.

7 (E) ASSIST IN RESOLVING INFORMAL DISPUTES WITHIN AN
8 ASSOCIATION OF CO-OWNERS.

9 (F) REPORT ON A PERIODIC BASIS TO THE GOVERNOR, THE
10 ADMINISTRATOR, AND THE LEGISLATURE REGARDING RECOMMENDED CHANGES TO
11 THIS ACT.

12 (2) THE HEAD OF THE OFFICE OF THE CONDOMINIUM OMBUDSMAN SHALL
13 BE APPOINTED BY THE GOVERNOR. THE HEAD OF THE OFFICE OF THE
14 CONDOMINIUM OMBUDSMAN SHALL BE AN ATTORNEY LICENSED TO PRACTICE LAW
15 IN THIS STATE AND SHALL SERVE AT THE PLEASURE OF THE GOVERNOR. A
16 VACANCY IN THE OFFICE SHALL BE FILLED IN THE SAME MANNER AS THE
17 ORIGINAL APPOINTMENT.

18 (3) AN OFFICER OR FULL-TIME EMPLOYEE OF THE CONDOMINIUM
19 OMBUDSMAN SHALL NOT DO ANY OF THE FOLLOWING:

20 (A) ENGAGE IN ANY OTHER BUSINESS OR PROFESSION.

21 (B) SERVE AS THE REPRESENTATIVE OR EMPLOYEE OF A POLITICAL
22 PARTY.

23 (C) RECEIVE REMUNERATION FOR ACTIVITIES ON BEHALF OF ANY
24 CANDIDATE FOR PUBLIC OFFICE.

25 (D) ENGAGE IN SOLICITATION OF VOTES FOR ANY CANDIDATE FOR
26 PUBLIC OFFICE.

27 (E) BECOME A CANDIDATE FOR PUBLIC OFFICE BEFORE RESIGNING FROM

1 HIS OR HER POSITION WITH THE CONDOMINIUM OMBUDSMAN.