

# HOUSE BILL No. 6548

October 15, 2008, Introduced by Reps. Bauer, Polidori, Leland and Meadows and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

A bill to amend 1972 PA 348, entitled

"An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,"

(MCL 554.601 to 554.616) by adding section 1b.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 1B. (1) AS A CONDITION TO ENTERING INTO A VALID WRITTEN  
2 LEASE, A LANDLORD SHALL INFORM A TENANT IN A WRITTEN DOCUMENT  
3 SIGNED BY THE LANDLORD, RECEIPT OF WHICH IS ACKNOWLEDGED BY THE  
4 TENANT'S SIGNATURE, THAT THE PREMISES THAT ARE THE SUBJECT OF THE  
5 LEASE ARE LOCATED IN A FLOOD ZONE IF THOSE PREMISES ARE LOCATED IN  
6 A FLOOD ZONE.

1           (2) IF A LANDLORD VIOLATES SUBSECTION (1) AND A TENANT SUFFERS  
2 A LOSS OF OR DAMAGE TO HIS OR HER PROPERTY BECAUSE OF A FLOOD, THE  
3 TENANT MAY TERMINATE THE LEASE AND IS ENTITLED TO RECOVER FROM THE  
4 LANDLORD ALL OF THE FOLLOWING:

5           (A) ACTUAL DAMAGES.

6           (B) \$500.00 OR 1 MONTH'S RENT, WHICHEVER IS GREATER.

7           (C) COURT COSTS AND REASONABLE ATTORNEY FEES, IF INCURRED.

8           (3) IT IS A COMPLETE DEFENSE TO AN ACTION UNDER THIS SECTION  
9 THAT THE LANDLORD DID NOT KNOW THAT THE PROPERTY WAS LOCATED IN A  
10 FLOOD ZONE.

11           (4) AS USED IN THIS SECTION, "FLOOD ZONE" MEANS 1 OR MORE OF  
12 THE FOLLOWING:

13           (A) ANY AREA OF LAND IN THE 100-YEAR FLOODPLAIN THAT IS  
14 SUSCEPTIBLE TO BEING INUNDATED BY WATER FROM ANY SOURCE.

15           (B) ANY AREA OF LAND THAT HAS BEEN IDENTIFIED BY THE FEDERAL  
16 EMERGENCY MANAGEMENT AGENCY UNDER 42 USC 4001.

17           (C) ANY AREA OF LAND THAT BORDERS ANY RIVER, STREAM, OR OTHER  
18 NATURAL BODY OF WATER AND IS TYPICALLY SUBJECT TO FLOODING AT LEAST  
19 ONCE PER CALENDAR YEAR.