

REVISE CONDOMINIUM ACT

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Senate Bill 309 as passed by the Senate
Sponsor: Sen. Jim Stamas
House Committee: Local Government
Senate Committee: Local Government
Complete to 9-8-15

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

The bill would amend the Condominium Act to do the following:

- Require condominium subdivision plans to be prepared by licensed professionals.
- Require a condominium subdivision plan's cover sheet to contain a notice about detailed project design plans and a list of documents included in the subdivision plan.
- Delete a requirement that a condominium subdivision plan contain the volume of each unit's enclosed air space.
- Require a condominium subdivision plan's survey plan to be signed and sealed by the licensed professional surveyor preparing the boundary survey for the project.

Michigan's Condominium Act requires the condominium subdivision plan for each condominium project to be prepared by an architect, surveyor, or engineer, and requires the plan to bear the signature and seal of the architect, surveyor, or engineer. Instead, Senate Bill 309 specifies that the condominium subdivision plan would have to be prepared by a *licensed architect, professional surveyor, or professional engineer*.

Now under the law, a complete condominium subdivision plan must include certain items specified in the act, including a cover sheet and a survey plan. Senate Bill 309 requires that the cover sheet list all documents included in the condominium subdivision plan. Further, the cover sheet would have to contain a notice that the plan did not contain project design plans. Under the bill, that notice would be required to read substantially as follows:

This condominium subdivision plan is not required to contain detailed project design plans prepared by a licensed professional engineer. Such project design plans are filed, as part of the construction permit application, with the enforcing agency for the state construction code in the relevant governmental subdivision. The enforcing agency may be a local building department or the state department of licensing and regulatory affairs.

The Condominium Act also requires the condominium subdivision plan to include the vertical boundaries and volume for each dwelling unit, comprising the enclosed air space. Senate Bill 309 would eliminate the requirement that volume be included.

The bill would take effect 90 days after its enactment.

MCL 559.166

FISCAL IMPACT:

There is no significant fiscal impact on the state or local units of government.

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