

HOUSE BILL NO. 4509

April 25, 2019, Introduced by Reps. VanSingel, Calley, Webber and Sheppard and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 5707.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5707. (1) If the complaint in a summary proceeding
2 requests only the recovery of possession of the premises or both
3 the recovery of possession and a money judgment, not including
4 taxable costs, in an amount that is less than the applicable limit



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1 of the small claims division under section 8401, and if a party to
2 the proceeding is a limited liability company as described in
3 subsection (2), the party may be represented in the proceeding by a
4 member if the member has direct and personal knowledge of the facts
5 alleged in the complaint.

6 (2) This section only applies if 1 of the following applies to
7 the limited liability company:

8 (a) The limited liability company has only 1 member and the
9 member is an individual.

10 (b) The limited liability company has only 2 members who are
11 individuals married to each other, if both members have signed a
12 verified statement authorizing the representation and the original
13 signed copy of the statement has been filed with the court in the
14 summary proceeding. This subdivision does not apply if there is an
15 action for divorce or separate maintenance pending between the
16 members, or if a judgment for separate maintenance has been entered
17 as to the members.

18 (3) If a party to a summary proceeding is a limited liability
19 company described in subsection (2) (b), an individual may not
20 represent the party in a hearing in the summary proceeding unless,
21 before the hearing, a designated employee of the court reviews the
22 file and determines that the verified statement required by
23 subsection (2) (b) has been filed with the court.

24 (4) A party seeking to proceed under this section has the
25 burden of proving that it qualifies to do so.

26 (5) Representation under this section is not a violation of
27 section 916.

