

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.3241a Abandonment of premises; residential property not exceeding 4 units; presumption.

Sec. 3241a. For purposes of this chapter, if foreclosure proceedings have been commenced under this chapter against residential property not exceeding 4 units, there is a conclusive presumption that the premises have been abandoned if all of the following requirements are satisfied before the end of the redemption period:

(a) The mortgagee has made a personal inspection of the mortgaged premises and the inspection does not reveal that the mortgagor or persons claiming under the mortgagor are presently occupying or will occupy the premises.

(b) The mortgagee has posted a notice at the time of making the personal inspection and has mailed by certified mail, return receipt requested, a notice to the mortgagor at the mortgagor's last known address, which notices state that the mortgagee considers the premises abandoned and that the mortgagor will lose all rights of ownership 30 days after the foreclosure sale or when the time to provide the notice required by subdivision (c) expires, whichever is later, unless the mortgagor; the mortgagor's heirs or personal representative; or a person lawfully claiming from or under 1 of them provides the notice required by subdivision (c).

(c) Within 15 days after the notice required by subdivision (b) was posted and mailed, the mortgagor; the mortgagor's heirs or personal representative; or a person lawfully claiming from or under 1 of them has not given written notice by first-class mail to the mortgagee at an address provided by the mortgagee in the notices required by subdivision (b) stating that the premises are not abandoned.

History: Add. 1986, Act 94, Imd. Eff. May 7, 1986;—Am. 2006, Act 579, Imd. Eff. Jan. 3, 2007;—Am. 2014, Act 431, Imd. Eff. Dec. 30, 2014.