



**House  
Legislative  
Analysis  
Section**

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**RETURN LAND IN OSCEOLA CO. TO OWNERS**

**House Bill 5276** as enrolled  
Second Analysis (7-30-90)

Sponsor: Rep. Sidney Ouwinga  
House Committee: State Affairs  
Senate Committee: State Affairs, Tourism and  
Transportation

***THE APPARENT PROBLEM:***

In 1984, Olin and Crystal Moore filed for bankruptcy and were unable to post the \$10,000 surety bond required for their mobile home dealership in Hersey Township, Osceola County. The Mobile Home Commission Act permits "an appropriate deposit of cash or securities" to be pledged in lieu of a bond, and so the Moores turned over to the state the deed to their property in Hersey Township. In 1986, the Moores went out of business, and, since claims may be made against a dealer for up to three years after a transaction, even if the dealer is no longer in business, the deed to their property was held by the state as security against any claims that might have been filed against the Moores, and should have been returned to them in 1989. It has been proposed that legislation be enacted to effect the return of this property to Mr. and Mrs. Moore.

***THE CONTENT OF THE BILL:***

The bill would authorize the State Administrative Board to convey state owned property in Hersey Township, Osceola County, to Olin L. and Crystal M. Moore, for consideration of \$1. The conveyance would be made by quitclaim deed and the revenue credited to the general fund.

***FISCAL IMPLICATIONS:***

According to the House Fiscal Agency, the bill would have no fiscal implications for the state. (3-7-90)

***ARGUMENTS:***

***For:***

The bill would require that property which has been held in lieu of bond be returned to the rightful property owners. The state has held this property beyond the amount of time required by law, and it should now be returned.

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