

Act No. 311
Public Acts of 1990
Approved by the Governor
December 14, 1990
Filed with the Secretary of State
December 14, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Rep. Banks

Reps. Allen, Alley, Bandstra, Barns, Bartnik, Bender, Bennett, Crandall, DeBeaussiaert, Dunaskiss, Gagliardi, Giese, Gilmer, Gire, Harrison, Hart, Hertel, Hoekman, Hoffman, Honigman, Jonker, Kilpatrick, Kosteva, Krause, Kulchitsky, Leland, London, Martin, Mathieu, Maynard, Miller, Munsell, Muxlow, Niederstadt, O'Connor, Ostling, Ouwinga, Owen, Oxender, Palamara, Pitoniak, Porreca, Pridnia, Profit, Rocca, Runco, Saunders, Spaniola, Stabenow, Stacey, Stallworth, Strand, Trim, Van Regenmorter, Van Singel, Varga, Webb, Joe Young, Jr. and Joe Young, Sr. named co-sponsors

ENROLLED HOUSE BILL No. 5612

AN ACT to amend section 34 of chapter 66 of the Revised Statutes of 1846, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," being section 554.134 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 34 of chapter 66 of the Revised Statutes of 1846, being section 554.134 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 34. (1) Except as provided otherwise in this section, an estate at will or by sufferance may be terminated by either party by 1 month's notice given to the other party. If the rent reserved in a lease is payable at periods of less than 3 months, the time of notice is sufficient if it is equal to the interval between the times of payment. Notice is not void because it states a day for the termination of the tenancy that does not correspond to the conclusion or commencement of a rental period. The notice terminates the tenancy at the end of a period equal in time to that in which the rent is made payable.

(2) If a tenant neglects or refuses to pay rent on a lease at will or otherwise, the landlord may terminate the tenancy by giving the tenant a written 7-day notice to quit.

(3) A tenancy from year to year may be terminated by either party by a notice to quit, given at any time to the other party. The notice shall terminate the lease at the expiration of 1 year from the time of the service of the notice.

(4) If a tenant holds over after a lease is terminated pursuant to a clause in the lease providing for termination because the tenant, a member of the tenant's household, or other person under the tenant's control has manufactured, delivered, possessed with intent to deliver, or possessed a controlled substance on the leased premises, the landlord may terminate the tenancy by giving the tenant a written 7-day notice to quit. This

subsection applies only if a formal police report has been filed by the landlord alleging that the person has unlawfully manufactured, delivered, possessed with intent to deliver, or possess a controlled substance on the leased premises. For purposes of this subsection, "controlled substance" means a substance or a counterfeit substance classified in schedule 1, 2, or 3 pursuant to sections 7211, 7212, 7213, 7214, 7215, and 7216 of Act No. 368 of the Public Acts of 1978, being sections 333.7211, 333.7212, 333.7213, 333.7214, 333.7215, and 333.7216 of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.