

# HOUSE BILL No. 5049

September 20, 1989, Introduced by Rep. Dolan and referred to the Committee on Consumers.

A bill to amend section 4 of Act No. 227 of the Public Acts of 1971, entitled

"An act to prescribe the rights and duties of parties to home solicitation sales,"

being section 445.114 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 4 of Act No. 227 of the Public Acts of  
2 1971, being section 445.114 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 4. (1) Except as provided in this section, within  
5 ~~10~~ 3 days after a home solicitation sale has been canceled or  
6 an offer to purchase revoked, the seller shall tender to the  
7 buyer any payments made by the buyer and any note or other evi-  
8 dence of indebtedness.

1       (2) If the down payment includes goods traded in, the goods  
2 shall be tendered in substantially as good condition as when  
3 received by the seller. If the seller fails to tender the goods  
4 as provided by this section, the buyer may elect to recover an  
5 amount equal to the trade-in allowance stated in the agreement.

6       (3) Until the seller has complied with the ~~obligations~~  
7 ~~imposed by~~ REQUIREMENTS OF this section, the buyer may retain  
8 possession of goods delivered to him OR HER by the seller and has  
9 a lien on the goods in his OR HER possession or control for any  
10 recovery to which he OR SHE is entitled.