

HOUSE BILL No. 5612

March 19, 1990, Introduced by Rep. Bankes and referred to the Committee on Urban Affairs.

A bill 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:

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

4 Sec. 34. (1) ~~All estates~~ EXCEPT AS PROVIDED OTHERWISE IN
5 THIS SECTION, AN ESTATE at will or by sufferance may be
6 ~~determined~~ TERMINATED by either party by 1 month's notice given
7 to the other party. ~~, and when~~ IF the rent reserved in a lease
8 is payable at periods of less than 3 months, the time of ~~such~~
9 notice ~~shall be~~ IS sufficient if it ~~be~~ IS equal to the

1 interval between the times of payment. ~~and such notice shall~~
2 ~~not be held void by reason of its mentioning~~ NOTICE IS NOT VOID
3 BECAUSE IT STATES a day for the termination of the tenancy THAT
4 DOES not ~~corresponding~~ CORRESPOND to the conclusion or com-
5 mencement of ~~any such period, but in any such case the notice~~
6 ~~shall be held to terminate~~ A RENTAL PERIOD. THE NOTICE
7 TERMINATES the tenancy at the end of a period equal in time to
8 that in which the rent is made payable. ~~And in all cases of~~
9 ~~neglect or refusal~~

10 (2) IF A TENANT NEGLECTS OR REFUSES to pay rent on a lease
11 at will or otherwise, THE LANDLORD MAY TERMINATE THE TENANCY BY
12 GIVING THE TENANT, IN WAITING, A 7-days' notice to quit. ~~→~~
13 ~~given in writing by the landlord to the tenant, shall be suffi-~~
14 ~~cient to determine the lease. And in all cases of~~

15 (3) A tenancy from year to year MAY BE TERMINATED BY EITHER
16 PARTY BY a notice to quit, given at any time ~~→~~ TO THE OTHER
17 PARTY. THE NOTICE shall ~~be sufficient to~~ terminate ~~said~~ THE
18 lease at the expiration of 1 year from the time of the service of
19 ~~such~~ THE notice.

20 (4) IN THE CASE OF HOUSING SUBSIDIZED BY STATE, FEDERAL, OR
21 LOCAL GOVERNMENT FUNDS, IF A TENANT HOLDS OVER AFTER A LEASE IS
22 TERMINATED BECAUSE THE TENANT, A MEMBER OF THE TENANT'S HOUSE-
23 HOLD, OR A GUEST OR OTHER PERSON UNDER THE TENANT'S CONTROL HAS
24 USED OR POSSESSED A CONTROLLED SUBSTANCE ON THE LEASED PREMISES,
25 THE LANDLORD MAY TERMINATE THE TENANCY BY GIVING THE TENANT A
26 WRITTEN 7 DAYS' NOTICE TO QUIT. THIS SUBSECTION DOES NOT APPLY
27 IF POSSESSION OF THE CONTROLLED SUBSTANCE IS PURSUANT TO A VALID

1 PRESCRIPTION OR ORDER OF A PRACTITIONER WHILE ACTING IN THE
2 COURSE OF THE PRACTITIONER'S PROFESSIONAL PRACTICE, OR IF IT IS
3 OTHERWISE AUTHORIZED BY ARTICLE 7 OF THE PUBLIC HEALTH CODE, ACT
4 NO. 368 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.7101 TO
5 333.7545 OF THE MICHIGAN COMPILED LAWS. FOR PURPOSES OF THIS
6 SUBSECTION, "CONTROLLED SUBSTANCE" MEANS A SUBSTANCE OR A COUN-
7 TERFEIT SUBSTANCE CLASSIFIED IN SCHEDULE 1, 2, OR 3 AS SET FORTH
8 IN SECTIONS 7212, 7214, AND 7216 OF ACT NO. 368 OF THE PUBLIC
9 ACTS OF 1978, BEING SECTIONS 333.7212, 333.7214, AND 333.7216 OF
10 THE MICHIGAN COMPILED LAWS.