

HOUSE BILL No. 5226

November 4, 2003, Introduced by Reps. Meisner, Hopgood, Law, Vagnozzi, Tobocman and Murphy and referred to the Committee on Energy and Technology.

A bill to amend 1917 PA 167, entitled
"Housing law of Michigan,"
(MCL 125.401 to 125.543) by adding section 536a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 536a. (1) Beginning January 1, 2004, a single occupant
2 of a unit in a class A multiple dwelling where there is a single
3 utility meter for monitoring usage of any gas, water, sewer,
4 electric, or other utility shall not be charged for utility usage
5 based on the reading of the single meter. An owner of a class A
6 multiple dwelling may charge a fixed rate for any utility that
7 has 1 meter that meters more than 1 unit. The fixed rate shall
8 be stated in a written lease or rental agreement with the
9 occupant.

10 (2) Beginning January 1, 2004, an occupant of a unit in a
11 class A multiple dwelling shall not be charged monthly usage for

1 any gas, water, sewer, electric, or other utility unless the
2 occupied unit of the class A multiple dwelling has a meter that
3 accurately measures utility rates for the occupied unit and no
4 other unit.

5 (3) Beginning January 1, 2004, if the owner of a class A
6 multiple dwelling violates this section, the occupant of the unit
7 for which the violation occurred shall give written notice to the
8 owner of the violation. If the violation goes uncorrected for 45
9 days after the giving of notice, the occupant of the unit for
10 which the violation occurred shall have a civil action against
11 the owner for actual damages. "Actual damages" means any utility
12 charge that the occupant paid that is in violation of this
13 section plus any other direct, incidental, or consequential
14 damages to which the occupant can demonstrate his or her
15 entitlement.