

HOUSE BILL NO. 4985

September 18, 2025, Introduced by Reps. Price, Wilson, McKinney, Morgan, Tsernoglou, Weiss, Rheingans, MacDonell, Young, Hope, Conlin, Scott, O'Neal, Wooden and Longjohn and referred to Committee on Regulatory Reform.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 2918, 3238, 5714, 5735, 5744, 5775, and 5779
(MCL 600.2918, 600.3238, 600.5714, 600.5735, 600.5744, 600.5775,
and 600.5779), section 2918 as amended by 2019 PA 41, section 3238
as amended by 2014 PA 431, section 5714 as amended by 2014 PA 223,
section 5735 as amended by 2004 PA 105, section 5744 as amended by
2019 PA 2, and sections 5775 and 5779 as added by 1988 PA 336.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2918. (1) Any person who is ejected or put out of any

1 lands or tenements in a forcible and unlawful manner, or being out
2 is afterwards held and kept out, by force, is entitled to recover 3
3 times the amount of ~~his or her~~ **the person's** actual damages or
4 \$200.00, whichever is greater, in addition to recovering
5 possession.

6 (2) Any tenant in possession of premises whose possessory
7 interest has been unlawfully interfered with by the owner is
8 entitled to recover the amount of ~~his or her~~ **the tenant's** actual
9 damages or \$200.00, whichever is greater, for each occurrence and,
10 if possession has been lost, to recover possession. Subject to
11 subsection (3), unlawful interference with a possessory interest
12 includes 1 or more of the following:

13 (a) Use of force or threat of force.

14 (b) Removal, retention, or destruction of personal property of
15 the possessor.

16 (c) Changing, altering, or adding to the locks or other
17 security devices on the property without immediately providing keys
18 or other unlocking devices to the person in possession.

19 (d) Boarding of the premises that prevents or deters entry.

20 (e) Removal of doors, windows, or locks.

21 (f) Causing, by action or omission, the termination or
22 interruption of a service procured by the tenant or that the
23 landlord is under an existing duty to furnish, which service is so
24 essential that its termination or interruption would constitute
25 constructive eviction, including heat, running water, hot water,
26 electric, or gas service.

27 (g) Introduction of noise, odor, or other nuisance.

28 (3) An owner's actions do not unlawfully interfere with a
29 possessory interest if any of the following apply:

1 (a) The owner acts ~~pursuant to~~**under** court order.

2 (b) The owner interferes temporarily with possession only as
3 necessary to make needed repairs or inspection and only as provided
4 by law.

5 (c) The owner, or a court officer appointed by or a bailiff of
6 the court that issued the court order or the sheriff or a deputy
7 sheriff of the county in which the court is located, believes in
8 good faith that the tenant has abandoned the premises, and after
9 diligent inquiry has reason to believe the tenant does not intend
10 to return, and current rent is not paid.

11 (d) All of the following requirements are met:

12 (i) The owner informed the tenant in writing of the tenant's
13 option to provide contact information for an authorized person the
14 owner could contact in the event of the tenant's death. The owner
15 is not responsible for incorrect contact information provided by
16 the tenant or for the tenant's failure to provide contact
17 information.

18 (ii) Current rent has not been paid.

19 (iii) The owner believes in good faith that the tenant has been
20 deceased for at least 18 days and that there is not a surviving
21 tenant.

22 (iv) After the requirements of subparagraph (iii) are met and not
23 less than 10 days before the owner reenters to take possession of
24 the premises and dispose of its contents, each of the following
25 occurs:

26 (A) If the tenant provided contact information under
27 subparagraph (i), the owner makes a reasonable attempt to contact
28 the authorized person using the contact information provided and to
29 request ~~him or her~~**the person** to open a probate estate for the

1 tenant within 28 days after the tenant's death. The owner is not
2 responsible for the authorized person's failure to respond to the
3 notification before the owner's reentry into the premises.

4 (B) The owner places on the door of the premises a notice
5 indicating the owner's intent to reenter, take possession of the
6 premises, and dispose of its contents after 10 days have elapsed.

7 (C) The owner notifies the public administrator for the county
8 where the premises are located or, if none, the state public
9 administrator that the owner believes that the tenant is deceased
10 and intends to reenter to take possession of the premises and
11 dispose of its contents if a probate estate is not opened. On
12 request by the public administrator before the 10-day period under
13 this subparagraph has elapsed and presentation to the owner of
14 proper credentials and identification, the owner shall give the
15 public administrator access to the premises.

16 (v) A probate estate has not been opened for the deceased
17 tenant by the public administrator, authorized contact person, or
18 any other person in the county in which the premises are located
19 and the owner has not been notified in writing of the existence of
20 a probate estate opened in another county and of the name and
21 address of the personal representative.

22 (4) The opening of a probate estate by a public administrator
23 under subsection (3) is at the sole discretion and must be at the
24 sole expense of the public administrator.

25 (5) An owner's actions do not unlawfully interfere with an
26 occupant's possession of premises if the occupant took possession
27 by means of a forcible entry, holds possession by force, or came
28 into possession by trespass without color of title or other
29 possessory interest.

1 (6) A person who has lost possession or whose possessory
2 interest has been unlawfully interfered with may, if that person
3 does not peacefully regain possession, bring an action for
4 possession under section ~~5714(1)(f)~~**5714(2)(f)** or bring a claim for
5 injunctive relief in the appropriate circuit court. A claim for
6 damages under this section may be joined with the claims for
7 possession and for injunctive relief or may be brought in a
8 separate action.

9 (7) The provisions of this section may not be waived.

10 (8) An action to regain possession of the premises under this
11 section must be commenced within 90 days after the time the cause
12 of action arises or becomes known to the plaintiff. An action for
13 damages under this section must be commenced within 1 year after
14 the time the cause of action arises.

15 (9) As used in this section, "owner" means the owner, lessor,
16 or licensor or an agent of the owner, lessor, or licensor.

17 Sec. 3238. (1) After a foreclosure sale under this chapter and
18 providing notice under section 3237, the purchaser at the sale may
19 inspect the property, including the exterior and interior of any
20 structures on the property, as provided in this section.

21 (2) The purchaser may conduct an initial inspection of the
22 interior of any structures on the property. In addition to the
23 notice provided in section 3237, the purchaser shall provide notice
24 to the mortgagor by certified mail, physical posting on the
25 property, or in any manner reasonably calculated to achieve actual
26 notice of the purchaser's intent to inspect the property at least
27 72 hours in advance and shall set the time of the inspection at a
28 reasonable time of day, in coordination with the mortgagor if
29 possible.

1 (3) The purchaser may conduct any number of exterior
2 inspections of the property and any structures on the property
3 during the redemption period.

4 (4) After the initial inspection described in subsection (2),
5 the purchaser may request by certified mail, physical posting on
6 the property, or in any manner reasonably calculated to achieve
7 actual notice that the mortgagor provide information on or evidence
8 of the condition of the interior of any structures on the property,
9 in any form reasonably necessary to assess the condition of the
10 property. The purchaser shall not make such a request more than
11 once in a calendar month or more often than 3 times in any 6 months
12 of the redemption period, unless the purchaser has reasonable cause
13 to believe that damage to the property is imminent or has occurred.

14 (5) If the mortgagor refuses to provide information or
15 evidence requested under subsection (4) within 5 business days
16 after receipt of the request, or if the information or evidence
17 provided reveals that damage has occurred or is imminent, the
18 purchaser may schedule an inspection of the interior of any
19 structures on the property. For an inspection under this
20 subsection, the purchaser shall provide notice as described in
21 subsection (2) of the purchaser's intent to inspect the property at
22 least 72 hours in advance, and shall set the time of the inspection
23 at a reasonable time of day, in coordination with the mortgagor if
24 possible. If the mortgagor provides the information or evidence
25 requested under subsection (4) and damage has not occurred or does
26 not appear imminent, the purchaser shall not conduct an interior
27 inspection under this subsection related to that request.

28 (6) If an inspection under this section is unreasonably
29 refused or if damage to the property is imminent or has occurred,

1 the purchaser may immediately commence summary proceedings for
2 possession of the property under chapter 57 or file an action for
3 any other relief necessary to protect the property from damage. If
4 a purchaser commences an action for possession or any other relief
5 under this section, the purchaser may also name as a party to the
6 action any person who may redeem the property under section 3240.

7 (7) Before commencing summary proceedings for possession of
8 the property under this section, the purchaser shall provide notice
9 to the mortgagor by certified mail, physical posting on the
10 property, or in any other manner reasonably calculated to achieve
11 actual notice, that the purchaser intends to commence summary
12 proceedings if the damage or condition causing reasonable belief
13 that damage is imminent is not repaired or corrected within 7 days
14 after receipt of the notice.

15 (8) A purchaser shall not commence summary proceedings for
16 possession under this section if either of the following conditions
17 exists:

18 (a) The damage or condition causing reasonable belief that
19 damage is imminent is repaired or corrected within the 7-day period
20 described in the notice of intent under subsection (7).

21 (b) The mortgagor and the purchaser agree on procedures and a
22 timeline to repair the damage or correct the condition causing
23 reasonable belief that damage is imminent and the procedures are
24 completed by the original date agreed to by the mortgagor and
25 purchaser or by an extended date that is agreed to by the mortgagor
26 and purchaser.

27 (9) In determining whether to enter judgment for possession in
28 favor of the purchaser in summary proceedings under this section,
29 the judge shall consider the totality of the circumstances

1 surrounding the damage or condition that threatens imminent damage,
2 including, but not limited to, all of the following:

3 (a) The cause of the damage or condition.

4 (b) Whether the mortgagor has taken appropriate steps to
5 repair the damage or correct the condition and to secure the
6 property from further damage.

7 (c) Whether the mortgagor has promptly contacted the purchaser
8 and any property insurer regarding the damage or condition.

9 (d) Whether any delay in repairs or corrections is
10 affirmatively caused by the purchaser or the property insurer.

11 (10) If a judgment for possession is entered in favor of the
12 purchaser in an action under chapter 57 as described in subsection
13 (6), the right of redemption under section 3240 is extinguished and
14 title to the property vests in the purchaser as provided in section
15 3236 as to all persons against whom judgment was entered.

16 (11) As used in this section, "damage" includes, but is not
17 limited to, any of the following:

18 (a) The failure to comply with local ordinances regarding
19 maintenance of the property or blight prevention, if the failure is
20 the subject of enforcement action by the appropriate governmental
21 unit.

22 (b) An exterior condition that presents a significant risk to
23 the security of the property or significant risk of criminal
24 activity occurring on the property.

25 (c) Stripped plumbing, electrical wiring, siding, or other
26 metal material.

27 (d) Missing or destroyed structural aspects or fixtures,
28 including, but not limited to, a furnace, water heater, air-
29 conditioning unit, countertop, cabinetry, flooring, wall, ceiling,

1 roofing, toilet, or any other fixtures. As used in this
 2 subdivision, "fixtures" means that term as defined in section 9102
 3 of the uniform commercial code, 1962 PA 174, MCL 440.9102.

4 (e) Deterioration below, or being in imminent danger of
 5 deteriorating below, community standards for public safety and
 6 sanitation that are established by statute or local ordinance.

7 (f) A condition that would justify recovery of the premises
 8 under section ~~5714(1)(d)~~. **5714(2)(d)**.

9 Sec. 5714. **(1) Except as otherwise provided in subsection (2),**
 10 **a person entitled to possession of premises shall not recover**
 11 **possession of the premises by excluding or removing a person in**
 12 **possession or refusing to renew a lease or rental agreement. A**
 13 **person that violates this subsection has unlawfully interfered with**
 14 **the tenant's possession of the property as provided under section**
 15 **2918. A tenant in possession of premises whose possessory interest**
 16 **has been unlawfully interfered with by a person entitled to**
 17 **possession may recover damages as provided under section 2918.**

18 **(2) ~~(1)~~ A person entitled to possession of premises may**
 19 **recover possession by summary proceedings if there is good cause to**
 20 **recover possession of the premises. For purposes of this section,**
 21 **good cause exists** in the following circumstances:

22 (a) When a person **in possession** holds over premises after
 23 failing or refusing to pay rent due under the lease or **rental**
 24 agreement by which the person holds the premises within ~~7~~**14** days
 25 from the service of a written demand for possession for nonpayment
 26 of the rent due. **The rent due and owing, or any part of the rent**
 27 **due, must not result from a rent increase that is unreasonable or**
 28 **imposed for the purpose of circumventing the intent of this**
 29 **section. In determining whether all or part of the rent due and**

owing is the result of an unreasonable rent increase, it is a rebuttable presumption that the rent for the premises is unreasonable if it is grossly in excess of the fair market value of comparable rental units in the area. For the purpose of this subdivision, rent due does not include any accelerated indebtedness because of a breach of the lease under which the premises are held.

(b) When a person **in possession** holds over premises for 24 hours following service of a written demand for possession for termination of the lease ~~pursuant to~~**under** a clause in the lease providing for termination because a tenant, a member of the tenant's household, or other person under the tenant's control has unlawfully manufactured, delivered, possessed with intent to deliver, or possessed a controlled substance on the leased premises. This subdivision applies only if a formal police report has been filed alleging that the person has unlawfully manufactured, delivered, possessed with intent to deliver, or possessed a controlled substance on the leased premises. For purposes of this subdivision, "controlled substance" means a substance or a counterfeit substance classified in schedule 1, 2, or 3 ~~pursuant to~~**under** sections 7211 to 7216 of the public health code, 1978 PA 368, MCL 333.7211 to 333.7216.

~~(c) When a person holds over premises in 1 or more of the following circumstances:~~

~~(i) After termination of the lease, pursuant to a power to terminate provided in the lease or implied by law.~~

~~(ii) After the term for which the premises are demised to the person or to the person under whom he or she holds.~~

~~(iii) After the termination of the person's estate by a notice to quit as provided by section 34 of 1846 RS 66, MCL 554.134.~~

1 (c) Except as otherwise provided in this subdivision, when a
2 person in possession holds over premises after the termination of
3 the person's estate by a notice to quit as provided under section
4 34 of 1846 RS 66, MCL 554.134. For purposes of this subdivision,
5 holdover of premises by a person after the termination of that
6 person's estate by a notice to quit under section 34(1) or (3) of
7 1846 RS 66, MCL 554.134, is not on its own sufficient to establish
8 good cause. A landlord that is entitled to recover possession of
9 premises because of the termination of a tenancy under section
10 34(1) or (3) of 1846 RS 66, MCL 554.134, and seeks to recover
11 possession of the premises under this subdivision must also show 1
12 of the grounds for good cause as provided under this subsection.

13 (d) When the person in possession willfully or negligently
14 causes a serious and continuing health hazard to exist on the
15 premises, or causes extensive and continuing physical injury to the
16 premises, which was discovered or should reasonably have been
17 discovered by the party seeking possession not earlier than 90 days
18 before the institution of proceedings under this chapter and when
19 the person in possession neglects or refuses for 7 days after
20 service of a demand for possession of the premises to deliver up
21 possession of the premises or to substantially restore or repair
22 the premises.

23 (e) When a person **in possession** holds over premises for 7 days
24 following service of a written notice to quit for termination of
25 the lease after the tenant, a member of the tenant's household, or
26 a person under the tenant's control, on real property owned or
27 operated by the tenant's landlord, has caused or threatened
28 physical injury to an individual. This subdivision applies only if
29 ~~the police department with jurisdiction has been notified a formal~~

1 **police report has been filed alleging** that the person, on real
2 property owned or operated by the tenant's landlord, caused or
3 threatened physical injury to an individual. This subdivision does
4 not apply in either of the following cases:

5 (i) The individual who was physically injured or threatened is
6 the tenant or a member of the tenant's household.

7 (ii) Application would result in a violation of federal housing
8 regulations.

9 (f) When a person takes possession of premises by means of a
10 forcible entry, holds possession of premises by force after a
11 peaceable entry, or comes into possession of premises by trespass
12 without color of title or other possessory interest. This remedy is
13 in addition to the remedy of entry permitted under section 5711(3).

14 (g) When a person continues in possession of premises sold by
15 virtue of a mortgage or execution, after the time limited by law
16 for redemption of the premises.

17 (h) When a person continues in possession of premises sold and
18 conveyed by a personal representative under license from the
19 probate court or under authority in the will.

20 (i) **When a person in possession substantially breached a**
21 **material provision in the lease or rental agreement, other than the**
22 **obligation to surrender possession of the premises, and has failed**
23 **to cure the breach within 30 days after written notice and option**
24 **to cure was provided. The obligation for which the violation is**
25 **alleged may not be imposed for the purpose of circumventing the**
26 **intent of this section.**

27 (j) **Except as otherwise provided in this subdivision, when the**
28 **occupancy of the premises by a person in possession violates or**
29 **causes a violation of law that subjects the person seeking**

1 possession to civil or criminal sanction and a state agency or
2 local unit of government that has jurisdiction over the premises
3 has issued an order requiring the person in possession to vacate
4 the premises. A person seeking possession may not recover
5 possession under this subdivision unless a court finds that removal
6 of the person in possession is necessary to cure the violation of
7 law and the person seeking possession did not create the condition
8 necessitating removal through willful or irresponsible conduct or
9 lack of conduct. Notwithstanding this subdivision, the person in
10 possession may recover possession of the premises 7 days after the
11 violation is cured. If the person seeking possession does not cure
12 the violation of law 30 days after the state agency or local unit
13 of government that has jurisdiction over the premises issues the
14 order to vacate under this subdivision, the person in possession
15 may cure the violation. Any expenses incurred by the person in
16 possession to cure the violation must be deducted from the rent. If
17 the removal of the person in possession from the premises is
18 necessary to protect the person's health and safety, and a court
19 finds that the person seeking possession caused, by an act or
20 omission, the condition creating the need to vacate, the person
21 seeking possession may be ordered to pay for up to 60 calendar days
22 of housing expenses incurred by the person in possession,
23 including, but not limited to, temporary motel costs, security
24 deposit and first month's rent for a new premises, and moving and
25 cleaning service expenses. Nothing in this subdivision abrogates or
26 limits the rights of the person in possession to bring an action
27 for monetary damages or injunctive relief against the person
28 seeking possession to compel compliance by the person seeking
29 possession with all applicable housing state laws, ordinances, or

1 regulations.

2 (k) When a person in possession holds over premises for 3 days
3 following service of a written demand for possession for
4 termination of the lease or rental agreement under a clause in the
5 lease or rental agreement providing for termination because the
6 person in possession, a member of that person's household, or other
7 person under that person's control permitted the premises to be
8 used for an illegal purpose.

9 (l) When the person seeking possession seeks in good faith to
10 recover possession of the premises located in a building with fewer
11 than 3 units and the person seeking possession already personally
12 occupies or is seeking to personally occupy the premises as that
13 person's principal residence. A person seeking possession that
14 seeks to recover possession under this subdivision must give the
15 person in possession 30 days' written notice before the end of a
16 lease term or, if there is no lease or the tenancy is at will, 90
17 days' written notice to terminate the tenancy. There is a
18 rebuttable presumption that the person seeking possession did not
19 act in good faith if that person fails to occupy the premises as a
20 principal residence for at least 60 consecutive days during the 90
21 days immediately after the person in possession vacated the
22 premises under this subdivision.

23 (m) When a person holds over possession for 14 days after
24 notice that the landlord seeks to recover possession because
25 possession, use, or occupancy is solely incidental to employment
26 and the employment has been lawfully terminated.

27 (3) ~~(2)~~—A tenant or occupant of housing operated by a city,
28 village, township, or other unit of local government, as provided
29 in 1933 (Ex Sess) PA 18, MCL 125.651 to 125.709c, is not considered

1 to be holding over under subsection ~~(1)(b) or (c)~~ **2(b)** unless the
 2 tenancy or **lease** agreement has been terminated for just cause, as
 3 provided by lawful rules of the local housing commission or by law.

4 **(4)** ~~(3)~~A tenant of a mobile home park is not considered to be
 5 holding over under subsection ~~(1)(b) or (c)~~ **2(b)** unless the tenancy
 6 or lease agreement is terminated for just cause ~~pursuant to~~ **under**
 7 chapter 57a.

8 **(5)** Subsections (1) and (2) apply to all types of tenancies,
 9 including, but not limited to, a fixed tenancy, periodic tenancy or
 10 tenancy at will, or tenancy at sufferance or holdover tenancy.

11 **(6)** A person seeking possession shall not bring an action to
 12 recover possession and a court shall not enter a judgment for
 13 possession of premises under this section unless that person has
 14 complied with all applicable laws governing notice, including, but
 15 not limited to, the manner and time of service of process and the
 16 contents of the notice.

17 **(7)** A lease or rental agreement entered after the effective
 18 date of the amendatory act that added this subsection shall not
 19 include a provision that waives or alters any right or remedy under
 20 this section.

21 **(8)** The rights and protections provided under this section are
 22 in addition to the rights and protections provided under federal
 23 law.

24 **(9)** If any part of this section is found by a court to be
 25 invalid or unconstitutional, the remaining parts of this section
 26 must not be affected but must remain in full force and effect.

27 Sec. 5735. (1) The court in which a summary proceeding is
 28 commenced shall issue a summons ~~, which~~ **that** may be served on the
 29 defendant by any officer or person authorized to serve process of

1 the court. The summons ~~shall command~~ **must order** the defendant to
 2 appear for trial in accordance with the provisions of subsection
 3 (2) unless by local court rule the provisions of subsection (4)
 4 ~~have been made~~ **are** applicable.

5 (2) ~~A~~ **Except as otherwise provided in subsection (4), a**
 6 summons issued under this section ~~shall command~~ **must order** the
 7 defendant to appear for trial as follows:

8 (a) Within 30 days ~~of~~ **after** the issuance date of the summons
 9 in proceedings under section 5726. ~~, in which event the A~~ summons
 10 ~~shall~~ **issued under this subdivision must** be served not less than 10
 11 days before the date set for trial.

12 (b) Within 10 days ~~of~~ **after** the issuance date of the summons
 13 in all other proceedings. ~~, in which event the A~~ summons ~~shall~~
 14 **issued under this subdivision must** be served not less than 3 days
 15 before the date set for trial.

16 (3) If a summons issued under this section is not served
 17 within the time provided ~~by~~ **under** subsection (2), additional
 18 summons ~~shall~~ **must** be issued at the plaintiff's request in the same
 19 manner and with the same effect as the original summons.

20 (4) ~~Instead of the provisions of subsection (2), a A~~ court by
 21 local rule may provide for the application of this subsection to
 22 summary proceedings commenced in the court. ~~, in which event the A~~
 23 summons ~~shall command~~ **issued under this subsection must order** the
 24 defendant to appear as follows:

25 (a) Within 10 days after service of the summons ~~upon~~ **on** the
 26 defendant in proceedings under section 5726.

27 (b) Within 5 days after service of the summons ~~upon~~ **on** the
 28 defendant in all other proceedings.

29 (5) A summons issued under subsection (4) remains in effect

1 until served or quashed or until the action is dismissed, but
2 additional summons as needed for service may be issued at any time
3 at the plaintiff's request.

4 (6) Except as otherwise provided by court rule, a summary
5 proceeding ~~shall~~**must** be heard within 7 days after the defendant's
6 appearance or trial date and ~~shall~~**must** not be adjourned beyond
7 that time other than by stipulation of the parties either in
8 writing or on the record.

9 (7) An action to which section ~~5714(1)(b)~~**5714(2)(b)** applies
10 ~~shall~~**must** be heard at the time of the defendant's appearance or
11 trial date and ~~shall~~**must** not be adjourned beyond that time except
12 for extraordinary reasons.

13 Sec. 5744. (1) Subject to the time restrictions of this
14 section, the court entering a judgment for possession in a summary
15 proceeding shall issue a writ commanding a court officer appointed
16 by or a bailiff of the issuing court, the sheriff or a deputy
17 sheriff of the county in which the issuing court is located, or an
18 officer of the law enforcement agency of the local unit of
19 government in which the issuing court is located to restore the
20 plaintiff to and put the plaintiff in full, peaceful possession of
21 the premises by removing all occupants and all personal property
22 from the premises and doing either of the following:

23 (a) Leaving the property in an area open to the public or in
24 the public right-of-way.

25 (b) Delivering the property to the sheriff as authorized by
26 the sheriff.

27 (2) Abandonment of the premises that is the subject of a writ
28 under subsection (1) and of any personal property on the premises
29 must be determined by the officer, bailiff, sheriff, or deputy

1 sheriff serving the writ.

2 (3) On conditions determined by the court, a writ of
3 restitution may be issued immediately after the entry of a judgment
4 for possession if any of the following is pleaded and proved, with
5 notice, to the satisfaction of the court:

6 (a) The premises are subject to inspection and certificate of
7 compliance under the housing law of Michigan, 1917 PA 167, MCL
8 125.401 to 125.543, and the certificate or temporary certificate
9 has not been issued and the premises have been ordered vacated.

10 (b) Forcible entry was made contrary to law.

11 (c) Entry was made peaceably but possession is unlawfully held
12 by force.

13 (d) The defendant came into possession by trespass without
14 color of title or other possessory interest.

15 (e) The tenant, willfully or negligently, is causing a serious
16 and continuing health hazard to exist on the premises or is causing
17 extensive and continuing injury to the premises and is neglecting
18 or refusing either to deliver up possession after demand or to
19 substantially restore or repair the premises.

20 (f) The action is an action to which section ~~5714(1)(b)~~
21 **5714(2)(b)** applies.

22 (4) If a judgment for possession is based on forfeiture of an
23 executory contract for the purchase of the premises, a writ of
24 restitution must not be issued until the expiration of 90 days
25 after the entry of judgment for possession if less than 50% of the
26 purchase price has been paid or until the expiration of 6 months
27 after the entry of judgment for possession if 50% or more of the
28 purchase price has been paid.

29 (5) If subsections (3) and (4) do not apply, a writ of

1 restitution must not be issued until the expiration of 10 days
2 after the entry of the judgment for possession.

3 (6) If an appeal is taken or a motion for new trial is filed
4 before the expiration of the period during which a writ of
5 restitution must not be issued and if a bond to stay proceedings is
6 filed, the period during which the writ must not be issued is
7 tolled until the disposition of the appeal or motion for new trial
8 is final.

9 (7) If a judgment for possession is for nonpayment of money
10 due under a tenancy or for nonpayment of money required to be paid
11 under or any other material breach of an executory contract for
12 purchase of the premises, the writ of restitution must not be
13 issued if, within the time provided, the amount stated in the
14 judgment, with the taxed costs, is paid to the plaintiff and other
15 material breaches of the executory contract for purchase of the
16 premises are cured.

17 (8) Issuance of a writ of restitution following entry of a
18 judgment for possession because of the forfeiture of an executory
19 contract for the purchase of the premises forecloses any equitable
20 right of redemption that the purchaser has or could claim in the
21 premises.

22 Sec. 5775. (1) The tenancy of a tenant in a mobile home park
23 ~~shall~~**must** not be terminated unless there is just cause for the
24 termination.

25 (2) For the purpose of this chapter, "just cause" means 1 or
26 more of the following:

27 (a) Use of a mobile home site by the tenant for an unlawful
28 purpose.

29 (b) Failure by the tenant to comply with a lease or agreement

1 by which the tenant holds the premises or with a rule or regulation
2 of the mobile home park, adopted ~~pursuant to~~ **under** the lease or
3 agreement, which rule or regulation is reasonably related to any of
4 the following:

5 (i) The health, safety, or welfare of the mobile home park, its
6 employees, or tenants.

7 (ii) The quiet enjoyment of the other tenants of the mobile
8 home park.

9 (iii) Maintaining the physical condition or appearance of the
10 mobile home park or the mobile homes located in the mobile home
11 park to protect the value of the mobile home park or to maintain
12 its aesthetic quality or appearance.

13 (c) A violation by the tenant of rules promulgated by the
14 ~~Michigan department of public health~~ **environment, Great Lakes, and**
15 **energy** under section 6 of the mobile home commission act, ~~Act No.~~
16 ~~96 of the Public Acts of 1987, being section 125.2306 of the~~
17 ~~Michigan Compiled Laws.~~ **1987 PA 96, MCL 125.2306.**

18 (d) Intentional physical injury by the tenant to the personnel
19 or other tenants of the mobile home park, or intentional physical
20 damage by the tenant to the property of the mobile home park or of
21 its other tenants.

22 (e) Failure of the tenant to comply with a local ordinance,
23 state law, or governmental rule or regulation relating to mobile
24 homes.

25 (f) Failure of the tenant to make timely payment of rent or
26 other charges under the lease or rental agreement by which the
27 tenant holds the premises on 3 or more occasions during any 12-
28 month period, for which failure the owner or operator **of the mobile**
29 **home park** has served a written demand for possession for nonpayment

1 of rent ~~pursuant to~~**under** section ~~5714(1)(a)~~**5714(2)(a)** and the
 2 tenant has failed or refused to pay the rent or other charges
 3 within the time period stated in the written demand for possession.
 4 The written demand for possession ~~shall~~**must** provide a notice to
 5 the tenant in substantially the following form: "Notice: Three or
 6 more late payments of rent during any 12-month period is just cause
 7 to evict you." Nothing in this subdivision ~~shall prohibit~~**prohibits**
 8 a tenant from asserting, and the court from considering, any
 9 meritorious defenses to late payment of rent or other charges.

10 (g) Conduct by the tenant ~~upon~~**on** the mobile home park
 11 premises ~~which~~**that** constitutes a substantial annoyance to other
 12 tenants or to the mobile home park, after notice and an opportunity
 13 to cure.

14 (h) Failure of the tenant to maintain the mobile home or
 15 mobile home site in a reasonable condition consistent with
 16 aesthetics appropriate to the **mobile home** park.

17 (i) Condemnation of the mobile home park.

18 (j) Changes in the use or substantive nature of the mobile
 19 home park.

20 (k) Public health and safety violations by the tenant.

21 (3) This section does not prohibit a change of the rental
 22 payments or the terms or conditions of tenancy in a mobile home
 23 park following the termination or expiration of a written lease
 24 agreement for the mobile home site.

25 Sec. 5779. In every action to terminate a tenancy in a mobile
 26 home park for just cause, the tenant shall continue to pay all rent
 27 and other charges to the owner or operator **of the mobile home park**
 28 when due following the demand for possession of the premises and
 29 during the pendency of the action, and the owner or operator **of the**

1 **mobile home park** may accept all ~~such~~ payments of rent and other
2 charges without prejudice to the action to evict the tenant for
3 just cause. If ~~such~~ a payment **of rent or other charges** is not
4 timely paid, the owner or operator **of the mobile home park** may
5 proceed under section ~~5714(1)(a)~~ **5714(2)(a)** without prejudice to
6 the maintenance of the just cause termination action.

7 Enacting section 1. This amendatory act takes effect 90 days
8 after the date it is enacted into law.

9 Enacting section 2. This amendatory act does not take effect
10 unless House Bill No. 4982 (request no. H01702'25) of the 103rd
11 Legislature is enacted into law.