

# MEMORANDUM

TO: Real Property Law Section Council

FROM: Dawn M. Patterson

DATE: January 6, 2022

SUBJECT: Legislative Committee - Report

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1. **Monthly Call.** The ad hoc Legislative Committee met via conference call Tuesday, January 4, 2022, to discuss recent legislation.
2. **New Proposed Legislation.** New Legislation affecting real estate is referenced on the attached Report of Introduced Legislation. The House and Senate will be back in session on January 12, 2022.
  - HB 5650 <http://legislature.mi.gov/doc.aspx?2021-HB-5650>; this relates to service of a blight notice on the owner. We will ask Tabitha to track it to see if it has any momentum.
  - HB 5661 <http://legislature.mi.gov/doc.aspx?2021-HB-5661>. This bill provides agency authority to issue written emergency orders requiring owner of structure or fill on bottomlands to make immediate repairs and other actions to avoid imminent failure of structure or fill.
3. **Bills of Interest.**
  - **Short-Term Rental related:**
    - HB 4722, [2021-HEBH-4722.pdf \(mi.gov\)](http://legislature.mi.gov/doc.aspx?2021-HEBH-4722.pdf) (<http://legislature.mi.gov/doc.aspx?2021-HB-4722>) This is also known as the “Realtor Bill”. It is the “ban on the ban” bill. Linked is the substitute version that was passed by the House on 10-27-21 (at 2 am, I believe).
    - HB 5605 (12/8/21) Taxation: excise taxes; excise tax on business of providing accommodations to include certain short-term rentals; modify. Creates new act. <http://legislature.mi.gov/doc.aspx?2021-HB-5605>
  - **Uniform Assignment of Rents Act – HB 4799**  
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4799.pdf>  
[https://www.legislature.mi.gov/\(S\(vqrrtnyxvvgg4khprxy2lnkd2\)\)/mileg.aspx?page=getObject&objectName=2021-HB-4799](https://www.legislature.mi.gov/(S(vqrrtnyxvvgg4khprxy2lnkd2))/mileg.aspx?page=getObject&objectName=2021-HB-4799)
4. **Potential Future Action.**
  - **Marketable Record Title Act** –Tabitha has secured a meeting with Senator Wozniak at his office for a more in-depth discussion of the Marketable Record Title bill. This is scheduled for Tuesday, January 18th from 4-4:30 p.m. David Pierson and Nick Scavone were invited to participate in this meeting.

- **Prior Tax Foreclosure Amendments (issue with MCL §781(1))** – the Section’s lobbyist is working to assist us in trying to fix the problem the Section previously identified with this legislation [see November 2020 Legislative Report].

5. **Pending Legislation; Positions.**

- **Construction Lien Act Amendment** – HB 4668  
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4668.pdf>

*Position:* At the May 12, 2021 Council meeting, Council voted to oppose this Bill.

- **Prohibited Restrictive Covenants Act** – HB 4416  
<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4416.pdf>

*Position:* At the May 12, 2021 Council meeting, Council voted to oppose this Bill. According to Tabitha, Representative Anthony is trying to move this legislation. This bill is on its third draft. David Pierson graciously wrote a summary and had discussions with the primary sponsor of the bill.

6. **Additional matters.**

- Land Contract Reform Initiative