M E M O R A N D U M

TO: Real Property Law Section Council
FR: Aileen Leipprandt / David Pierson
DT: October 16, 2026
RE: Legislative Committee Report

A. Monthly Meetings

1) Karoub – Aileen and David met with Tabitha and Caleb on Oct. 6, 2026.
General update: Tabitha believes there will be no Lame Duck. This Session is seeing the lowest amount of bills passed (~50 vs ~70 last year). If Benson wins Governor's race, Winnie Brinks (Lieut. Gov. candidate) won't negotiate with the current Speaker of the House. If John James wins, House will remain Rep. and Rep. would be inclined to just take up action next year. It's possible we will see 2 weeks of session in November. See notes within Bills below re Karoub's input on various items.

2) Legislative Committee – Leg-Com met on Oct. 6, 2026. Matters discussed and items for follow-up are reported within the body of this Report.

B. New Business (New Bills)

(For full report of relevant bills introduced, see attached Bill Status Summary).

1) SB 1148 of 2026, (John Cherry), Lead-based paint renovation, repair and painting. SB 1148 of 2026

Objective	Move lead-based paint renovation, repair and painting program from EPA to state administration
Details	Adds part 54d to Public Health Code, 1978 PA 368. • Incorporates 40 CFR 745, subpart E by reference, with certain sections omitted, and substitutes the Dept. for EPA, so State would seek federal authorization to run its own program. • Sets state dust-lead action levels of 5 micrograms per sq. ft. for floors, 40 for interior windowsills and 100 for window troughs. Dept. may tighten them by rule and local standards must be at least as protective. • Prescribes post renovation visual inspection and dust clearance sampling procedure. Training program accreditation expires 4 years after issuance. An active EPA firm certification is honored until it expires. • Administrative fines up to $5k for a first violation, $8k for a second and $13k for a third or later, assessed per violation or per day a violation continues. A citation may issue within 180 days after discovery. • Willful or repeated violation, or failure to correct after notice, is a misdemeanor punishable by up to $5k, rising to $10k or 6 months, or both, for a repeat. • Directs funds to compliance activity including unannounced inspections of renovation project sites
Status	Intro 9/9/26; referred to Com. on Regulatory Affairs
Leg-Com	Affects residential builders and renovation of pre-1978 housing. Concerns: (1) does "target housing," a defined term incorporated by reference, reach the common elements of a pre-1978 condominium; (2) can an owner that retains a certified firm be a "person that violates this part." Aileen requested Karoub follow up with Sponsor on concerns raised by Leg-Com.

2) **SB 1179 of 2026** – (Sue Shink), Data center transparency and accountability act. SB-1179

Objective	Require public disclosure of data center impacts in advance of local land use approval
Details	Creates new act. Tie barred to unnumbered companion bill. • A "covered project" is construction of a new data center, or expansion of existing one, that requires local land use approval or building permit, or both • The disclosure and impact statement must cover buildout phases, projected peak and annual megawatt hour demand, projected water withdrawal or consumptive use, all state and local incentives applied for or expected, temporary and permanent job counts with wage ranges, and the allocation of utility costs among the data center, the utility and other ratepayers • Local unit must post statement publicly at least 60 days before any local land use approval or decision and keep it posted until the project is completed or abandoned. Errors must be corrected within 30 days of written notice • A materially false statement carries a civil fine of the greater of $10,000,000, 1% of capital investment, or 3x incentives received, plus $50k/ day for failure to correct and $250k per permanent job below projection, with a 5 year incentive bar after final judgment
Status	Intro 9/10/26; referred to Com. on Energy and Environment
Karoub	There are several other data center bills. Tabitha will take any feedback we have back to the sponsor.
Leg-Com	Likely policy. Procedural rather than substantive property law, but 60 day posting requirement changes the timeline and the record for local land use decisions and gives neighbors, including associations, a longer runway to appear. Leslee Lewis giving it a second look.

3) **(a) SB 1182 of 2026**, (Stephanie Change) (track waterfront contaminated property) SB-1182

Objective	Identify and publicly track contamination risk on industrial and commercial shoreline property along Great Lakes and connecting waterways
Details	Amends Natural Resources and Env. Prot. Ac ., MCL 324.101 - 324.90106. Shorelands; public risk assess. database for certain shoreline property; create. **Tie Bar** with SB 1183 and 1184, Adds new Part 343, ("Riparian Contamination and Structures"). Defines "riparian property" as any parcel bordering a Great Lake or a "connecting waterway," (i.e., St. Mary's River, Detroit River, St. Clair River, or Lake St. Clair. By 1-1-28, Dept. must conduct environmental contamination risk assessment of every riparian property currently or formerly used for industrial or commercial purposes, drawing on available records and help from public and private entities. Each property would be rated high-, medium-, or low-risk based on 7 factors. Dept. must compile results in a database posted on its website and update assessment and database at least every 5 years.
Status	Intro 9/22/26, referred to Com. on Natural Resources and Agriculture
Karoub	10/6, Per Tabitha, the Waterfront Alliance group is behind this. Not expecting much action.
Leg-Com	10/6, Leslee Lewis will ask John Cameron if he can review.

(b) SB 1183 of 2026 (Rosemary Bayer), prevent pollution by waterfront structure SB-1183

Objective	Prevent pollution caused by failing waterfront structures by requiring regular inspections and maintenance
Details	Amends Natural Resources and Env. Prot. Act, MCL 324.101 - 324.90106. Natural resources: shorelands; inspections of high-risk docks and seawalls. **Tie Bar** with SB 1182 and SB 1184, Adds new Part 344, "Riparian Structures". Covers 2 kinds of docks, wharves, piers, jetties, and seawalls: "high-risk" structures, which substantially contribute to a property's high-risk rating under SB 1182, and other structures used for or protecting commercial or industrial property. Owners (defined broadly to include anyone who owns, leases, operates, maintains, or manages the structure) must submit inspection reports to Dept. and local municipality at their own expense. Reports must be prepared by a licensed prof. eng. and are due at least every 3 years for high-risk structures and every 5 years for commercial or industrial ones, on a staggered Dept. schedule starting 1-1-28. Each report must evaluate structural integrity considering foreseeable water levels, identify deficiencies that could lead to failure or pollution releases, and recommend repairs, and owners must promptly fix any deficiencies found. Dept. can require additional or more detailed reports, conduct inspections and recover costs if owner fails to report, and issue compliance orders. AG may sue for violations, with fines of $2,500 to $5k/ day deposited in the fund created by SB 1184.
Status	Intro 9/22/26, referred to Com. on Natural Resources and Agriculture
Leg-COM	See 1182

(c) SB 1184 of 2026 (Erika Geiss) notify of waterfront failure/pollution SB-1184

Objective	Assure that when a dock or wharf fails, or releases pollution into state waters, authorities hear about it quickly, responsible party prevents a repeat, and fines protect the water.
Details	Amends Natural Resources and Env. Prot. Act, MCL 324.3111b & 324. Water supply: other; water resources protection reporting reqs. **Tie Bar** with SB 1182 and SB 1183, (1) requires owner or operator of failed dock or wharf in or next to state waters, the owner of any substance released, or anyone loading or unloading it, to notify Dept. by phone w/in 24 hours of failure or release of pollutant; this also triggers the 9-1-1 reporting duty, and same person must file written report within 10 days with the Dept. and local health dept. explaining cause and prevention measures; (2) raises civil fines for failing to report and changes mandatory 5-year sentence for criminal substantial endangerment to a max. of 5 years; (3) sends civil fines to new, non-lapsing Great Lakes and Rivers Protection Fund, which can be used only for risk assessment & remediation of affected state waters.
Status	Intro 9/22/26, referred to Com. on Natural Resources and Agriculture
Leg-COM	See 1182

4) HB 6343 of 2026 (Reggie Miller) tighten wetland mitigation rules HB-6343

Objective	Tighten wetland mitigation rules so program achieves no net loss of wetlands. Reverses earlier changes that made mitigation more flexible for developers & mitigation banks. Gives local communities a say in new mitigation banks.
Details	Amends MI's wetland mitigation statute, MCL 324.30311d.

	1. **Stricter preconditions for mitigation**. Adds legislative finding that wetland conservation is a matter of state concern, with goal of no net loss of wetland acreage, function, and public value. Dept. could consider mitigation only if the impacts are permitted, there is no feasible and prudent alternative, and the applicant has minimized impacts by all practical means; 2. **Mitigation banks lose their preferred status**. Repeals rule that let applicants choose mitigation bank credits over other methods. Credits would be limited to bank's service area, or to an adjoining watershed or ecoregion only if credits are unavailable locally, the Dep, finds wetland functions will be adequately replaced, and higher ratios are applied as needed; 3. **Tighter standards**. Preservation credit expands to cover rare or endangered wetland types. Plan approvals must rest on documented findings about ecological function and watershed sustainability. Option for agricultural applicants to mitigate through a conservation easement on the impacted site is removed; 4. **Revised rulemaking directives**. Dept. would have 1 year to submit revised rules, which would only need to consider certain principles rather than do them. Ratio flexibility would be allowed only where ecological outcomes are maintained or improved, and the rules would have to encourage mitigation banks while ensuring no net loss. Deletes existing directives to reduce the preference for on-site mitigation, cut ratios for bank credits, credit excess mitigation to later projects, enlarge bank service areas, and allow earlier credit release. It also repeals the municipal mitigation bank grant and loan program. 5. **Local approval for new banks**. Dept could not approve credits for a new mitigation bank, or a material change to an existing one, until 4 things happen: (a) sponsor mails notice to local govt. and adjacent residents and property owners (b) sponsor completes a study of wetland available for banking (c) Dept offers local public hearing, and (4) local govt. gives written approval w/in 30 days after the hearing. This effectively gives local government a veto.
Status	Intro 9/23/26, referred to Com. on Natural Resources and Tourism
Karoub	10/6, per Tabitha, this is going nowhere because Sponsor is in a contentious seat and Republicans think they will win the seat.
Leg-COM	10/6, Leslee Lewis will ask John Cameron if he can review.

5) SB 1137 (Jeff Irwin) overhaul judgment collection rules SB-1137

Objective	Overhaul judgment collection, garnishment, and exemptions from execution, including a large increase in the homestead exemption
Details	Amends chapters 40 and 60 of the RJA. Amends MCL 600.4011, 600.4012, 600.4015, 600.4031, 600.4061a, 600.6023, 600.6027, 600.6059 and 600.6104, and adds MCL 600.4001a, 600.4032, 600.4033, 600.6001a and 600.6023b through 600.6023g. ●The homestead exemption from levy and sale under MCL 600.6023(1)(k) goes from $3,500 to $125,000, or $200,000 if the debtor or a dependent is 65 or older or disabled, adjusted every three years by the FHFA home price index under new sec. 6023f ●New MCL 600.6001a defines “homestead” for the chapter to include a condominium unit, a unit in a cooperative, a residence on land the debtor does not own, a motor home, and a boat ●MCL 600.6027 and 600.6059 are conformed. The notice of surplus over the exemption, and the 60 day window to pay before the premises are advertised and sold, now run off the new exemption amount rather than $3,500

	●Personal property exemptions increase across the board: household goods $1,000 to $5,000; tools of a trade $1,000 to $10,000; crops and farm animals to $10,000; new exemptions for one motor vehicle up to $5,000, computers and mobile devices up to $5,000, crime victim compensation, and $800 held in deposit accounts ●New MCL 600.4032 replaces the current earnings formula, capping garnishment at the smaller of earnings for the week above 35 times the applicable minimum hourly wage, or 15% of garnishable earnings, and exempts means tested public assistance, unemployment, the earned income credits, disability benefits and worker's compensation ●New MCL 600.4033 requires a garnishee financial institution to calculate exempt deposits received in the preceding 90 days, report them in the disclosure, and withhold them from payment ●New MCL 600.6023g adds a notice regime: the clerk must mail an exemption notice on entry of a consumer debt judgment, SCAO must publish exemption notices and designation forms, an executing officer who sees apparently exempt property must report it and not execute, and the creditor must request a hearing within 21 business days to rebut the presumption ●New MCL 600.6023c provides that where a creditor is on notice another person claims an interest, the creditor must establish at a hearing that the debtor's share exceeds the protected amount, and each person with an interest may claim a full exemption ●MCL 600.6023(2) preserves a mortgage, lien, setoff or security interest excluded by law or consensually given or lawfully obtained, but carves back out a lien obtained by judgment, attachment, levy or similar legal process
Status	Intro 7/29/26, passed Senate 9/10/26, received in House 9/10/26, referred to Com. on Government Operations
Karoub	10/6, per Tabitha, our input may not be considered as this is a political football.
Leg-COM	10/6, discussion: 1 of a bunch of bills passed in 2024. Not sent by Clerk to Gov. When Rep. came in, said it was not their job to send. Dems sued. SCt said bills should be presented to Gov. Gov. vetoed. Bills would have passed, but for that glitch. Aileen requested Tabitha to follow up with Chair with our concerns and ask what more can be done, although it is highly unlikely anything will change because bills are now political football.

6) **Land Contract Bills** – Senator Jon Cherry provided David Martyn with draft bills that address land contract reforms. Libby Benton (Director of MI Poverty Law Program) has also been working on these bills. MLTA will also be providing feedback. The bills are not moving this year, but Sen. Chery and Benton would like to get RPLS feedback. All bills are tie-barred.

SO 7501-2026
Amends land contract recording act, by amending Section 6 (MCL 565.356) (1) **Recording and contents**. Sellers must record the full contract with ROD within 30 days and give Buyer a title search. LC must spell out key terms, (e.g., price and fees, interest rate, a signed amortization schedule disclosing any balloon payments, delinquent taxes, known structural defects, liens and title status, each party's responsibility for taxes, insurance, repairs, and dues, both parties' rights to cure a default, and buyer's right to prepay without penalty). (2) **Banned terms**. Clauses that prohibit recording, provide for confession of judgment, waive jury trial or procedural rights, shift attorney fees beyond what statute allows, or convert the contract into a lease on default would be void.

(3) **Limits on seller mortgages**. Seller could not mortgage the property for more than the balance owed on the LC, or on terms extending beyond it. Any permitted mortgage would require buyer's written consent, monthly payment statements, notice of any default, and lender's agreement to accept payments directly from buyer. If seller fails to pay, buyer could cure the default directly and credit 150% of the amount paid against the contract balance.
(4) **Periodic statements**. Sellers must send buyer statements 1-4x a year showing amounts paid, remaining balance, and tax & insurance payments.

SO 7502-2026
Amends the General Property Tax Act to require that if a land contract (among other things) is presented to the ROD for recording, presented documents must include, if no more than 2 years of taxes due on the property are owed, a document signed by vendor and vendee stating that taxes are owed and the amount of taxes

SO 7503-2026
Provides right of vendee to cancel LC no more than 3 days after date LC is acknowledged. If Vendor fails to provide Vendee with required disclosures, the right to cancel the LC expires after whichever first occurs: (a) 3 years after acknowledgment of the LC; (b) transfer of all the Vendor's interest in the property. If Vendee cancels a LC, Vendee has the right to a return of all money paid to Vendor under the LC. Caps maximum interest rate to charge on the LC is 2% above average prime or 11%, whichever is lower.

SO 7504-2026
If LC has not been recorded with ROD, Vendee, in the event of forfeiture, is entitled to both: (a) redemption period (i) if Vendee has paid less than 50% of LC, 6 months; (ii) if Vendee has paid 50% or more the LC, 12 months; (b) $2,000 or actual damages, whichever is greater.

Karoub	10/6, per Tabitha, she will be in the Work Group session on these bills.
Leg-Com	10/6, David P. is reviewing and marking up. David M. also involved. Looks like policy. David M. sought clarification that bills would relate only to residential, but did not receive such assurance. Concern is that bills don't mess up or make use of LCs more complicated.

7) Unintroduced bills to prevent deed fraud (not introduced, D. Pierson reviewing). (1) Expedited Quiet Title (05730'25); (2) Revise Slander of Title Statute (05733'25); (3) Create a "Deed Fraud" Cause of Action (05734'25).

C. OLD BUSINESS

1) (a) HB 6269 of 2026 (Matt Bierlein), use tax exemption HB-6269

Objective	Promote housing by providing *Use Tax* exemption.
Details	Amends Use Tax Act to create temporary exemption from *Use Tax* on qualified building materials used in construc. of residential housing. Tie bar with HB 6270
Status	Introduced 8/26
Leg-Com	9/1/26, Policy. 10/8/26, HBA likely to support. No further action recommended.

(b) HB 6270 (Seve Frisbie) sales tax exemption HB-6270

Objective	Incentivize residential construc. with *Sales Tax* exemption. Tie bar w/ HB 6229
Details	Amends General Sales Tax Act to create temporary exemption from *Sales Tax* on qualified building materials when used for constructing qualified residences.

Status	Introduced 8/26
Leg-Com	9/1, Policy – 10/8/26 HBA likely to Support. No further action recommended.

2) **HB 6243 of 2026** – (Bryan Posthumus) Institutional investor purchase of single family homes

Objective	Prohibit purchase of SFHs by large institutional investors https://legislature.mi.gov/Bills/Bill?ObjectName=2026-HB-6243
Details	Amends 2026 PA 32 (prohibits large institutional investors from buying SFHs). Clean up on HB 6074 previously reported on. ○ Excludes property received by lender or landlord in certain distressed property recoveries ○ Excludes purchases from other LII who owned property before July 21, 2026, provided certification requirements are met ○ Excludes mobile home from definition of SFH
Status	Introduced 8/11/26, substitute H-1 adopted, passed House 8/26, Received in Senate and referred to Committee on Regulatory Affairs 9/9/26
Karoub	10/6, per Tabitha, clean up 6074 which is already passed, so ship has sailed. 6074 is a "do nothing" bill because one can just side step impact of bill by forming a new LLC.
Leg-Com	No further action recommended.

3) **HB 6277 of 2026** (Carol Glanville) correct mistaken uncapping

Objective	Give relief to property owners for taxing authority's mistaken uncapping. HB-6277
Details	Amends General Property Tax Act ○ §27a(4) allows tax collecting unit to correct taxable value for mistaken uncapping (when a transfer of ownership did not actually occur so property was incorrectly uncapped) for ***any*** prior year (not limited to 3 year look back) ○ Amends definition of qualified error
Status	Introduced 8/27. Referred to Committee on Finance
Karoub	10/6, emphatic bill is not going anywhere. Republicans won't pass; put on back burner until after elections.
Leg-Com	10/6, no further action recommended (per outcome of Leslee Lewis review)

4) **(a) HB 6305 of 2026** (Kelly Breen) Consumer Protection Act

Objective	Tighten scope of exemptions to CPA – May affect licensed professionals individuals such as Licensed residential builders
Details	Amends Consumer Protection Act
Status	Introduced 8/27, referred to Committee on Economic Competitiveness
Leg-Com	9/1 Policy. HBA evaluating. 10/6, No further action recommended.

(b) HB 6306 of 2026 (Kelly Breen)

Objective	Expand reach of CPA by more expansive definitions; HB-6306
Details	Amends Consumer Protection Act
Status	Introduced 8/27, referred to Committee on Economic Competitiveness
Leg-Com	9/1 Policy. HBA evaluating. 10/6, no further action recommended

5) **SB 1082 of 2026** (Sarah Anthony), Seller's Disclosure to include impending assessments

Objective	Require disclosure of "any upcoming municipal assessments or fees" SB-1082
Details	Amends SDA form to require disclosure of upcoming municipal fees. Adds requirement re "upcoming drain assessment" Amends sec. 7 of MCL 565.957.

Status	Intro 6/25/26, referred to Com. on Local Government, 6/25/26
RPLS	9/16/26 RPLS opposed.
Karoub	10/6, Per Tabitha, nothing will happen with this and she recommends we hold this until it gets some traction because Anthony is in a leadership position, so we need to nuance our approach.
Leg-Com	10/6, continue to monitor; 10/16, Aileen emailed policy position to Karoub.

6) **HB 6026 of 2026** (Joey Andrews), STR Registration System & Database

Objective	Establish framework for registration, promotion, and regulation of STRs and hosting platforms HB-6026
Status	Intro 6/2/26; referred to Com. on Government Operations 6/2/26
Leg-Com	9/1, Likely all policy as seeking to control STR system. In play the last 6 sessions with no progress. Back burner unless there is progress on it.

7) **HB 6086 of 2026** (Emily Dievendorf), "Tenant Opportunity to Purchase" Act

Objective	Provide TNT with 1st opportunity to buy rental property from LL HB-6086
Details	Before owner lists rental property for sale, sells it, solicits or accepts an offer from a 3rd party, or issues a notice to vacate for demolition or ending its housing use, owner must offer it to tenants, or to tenant association representing a majority of them, on a bona fide offer of sale (a price and terms at least as favorable as an arm's-length third-party deal, or comparable to fair market or appraised value). Housing coops count as tenant associations, but groups organized by owner do not. Hotels, motels, tourist lodging, and owner-occupied homes rented only occasionally are excluded. Bill sets out this first-offer right but doesn't specify response deadlines, procedures, or enforcement.
Status	Intro 6/16/26, referred to Com. on Government Operations, 6/16/26
RPLS	9/16/26, RPLS opposed.
Karoub	9/1, This bill is in the exact same boat as 6026. Karoub discussed with E. Dievendorf earlier in summer. She plans to bring this back next term, but is open to working with stakeholders and making changes. 10/6, This is not going to pass. But if House flips, this will come back next year. Tabitha asks for a contact with RPLS to champion discussion. Then Tabitha will set up call with Dievendorf as a proactive step. Likely to be deferred until 2027
Leg-Com	9/11/26 – Aileen email push to Karoub 10/6, D. Martyn identified as contact person for Karoub; 10/16, Aileen sent policy position and contact info for D. Martyn to Karoub

8) **HB 4582 of 2025** (Jerry Neyer) Open & Obvious Bill

Objective	Creates Premises Liability Act
Details	Possessor of property would have duty to use ordinary care to protect invitee from risks of harm from dangerous condition if harm is unreasonable or possessor knows or should know of condition. No duty to warn invitee of open and obvious condition.
Status	Intro 6/10/25; passed House 3/17/26; referred to Senate Finance/Insur. Com
Stakehold	MI Chamber supports; Negligence Section opposes.
RPLS	9/10/25, RPLS opposed.
Karoub	Karoub working to get meeting with Sponsor per 6/2/26 call; Karoub to follow up per discussion on 7/7/26. 10/6: Tabitha will reiterate our position with Sponsor Neyer.

Leg-Com	9/1/26, request Karoub get updated language to see if language changes our opposition. 9/11/26 Aileen communication to Karoub for push. Continue to monitor.

9) **SB 839 of 2026** (Veronica Klinefelt) - Recording Statute

Objective	Amends recording statute to change recording requirements to mandate that certain documents be recorded in the ROD.
Status	Intro 3/17/26; passed by Senate 6/3/26, referred to House Committee on Government Operations
Stakehold	RODs support.
RPLS	On 4/8/26, RPLS opposed
Karoub	Caleb met with Sponsor's office and provided RPLS comments. Sponsor will proceed with Bill as drafted and if RPLS remains opposed, it understands. Tabitha helping to schedule meeting with Bill Zaagman (ROD) to discuss. 9/1: Caleb believes Sen. Klinefelt would be ok with our change and does not have strong feelings about bill, but rather it is something that ROD brought to her. Per Caleb's call with Zagman about our requested changes, he said that ROD would be open to discussing changes and Caleb did not get the impression that they would be opposed. The timing just wasn't right given that the committee vote was happening days after our conversation. Caleb recommends conversation with ROD going into next term and try to get ROD on same page so that when the bill is introduced next term, it will already contain our fix. 10/6: Tabitha put a card in opposition during the Hearing.
Leg-Com	5/18/26, RPLS provided comment/edits to Karoub to provide to Sponsor because overly broad and ambiguous and revisions are necessary to more accurately align text with stated purpose re recording documents (if the document must be recorded), then record in the county where the property is located. RPLS is not against policy goals of Bill but is concerned that Bill as drafted is ambiguous and may create unintended consequences. 10/6: Continue opposition. 10/16: Aileen sent RPLS policy position to Karoub and requested take necessary steps to reiterate RPLS position.

10) **HB 5152 and 5153 of 2025** (Brad Paquette) Mortgage Foreclosure Protection Bills

Objective	Amends RJA to modify provision related to sale of certain rights for a property on which mortgage is being foreclosed, among other changes. Bills are intended to address scam whereby homeowners in foreclosure are induced to sell their property (apparently by transfer of right of redemption) for substantially less than property's value. HB-5152
Status	Passed House 7/2/26; Ref'd to Senate Com. on Hous. & Human Services 7/2/26
Stake-holder	MLTA spearheading opposing and working to slow down and amend; sponsor promised MLTA a revised bill that would include a general notice of rights/warning.
RPLS	12/12/25 – RPLS opposed.
Karoub	5/5/26 Per Tabitha, Allison from Rep. Andrews's office sent changes. Per Caleb, on 7/2/26, no expected movement before fall and he will continue to monitor. 9/1, Per Caleb, not sure committee (Housing & Human Services) will meet much for the rest of the year if at all. Spoke with Chief of staff to Sen. Irwin, the committee chair, and she said the bills are not really on her radar, so Caleb does not anticipate making it out of committee this session. 10/6, Tabitha will check with Tyrone Sanders on whether there is new language.
Leg-Com	D. Pierson met with Rep. Paquette and explained reasons for opposition (objections to prohibiting assignment of redemption rights, requiring foreclosure

	notices to be recorded and adding a new 7 day cooling off period). As a possible compromise, Pierson suggested exploring a limited mandated notice for residential, owner occupied property and outlined 2 alternative notice approaches: (a) A notice posted with foreclosure notice, fitting existing procedures and avoiding new claims. (b) A notice required to be signed as part of a transaction, which raises concerns about impairing legitimate transactions and increasing litigation. Bills were substantially revised per RPLS comments. 7/1/26, primary sticking point is req. to record Notice of Foreclosure. S. Lesser provided detailed analysis of problems with bill. (See June 28, 2026, email). 9/1/26, Leslee to canvas internally for expert to help advance the discussion. 9/11/26, Aileen email to Karoub that this is on our radar for further action. 9/22/26, David testified at hearing and felt hearing went reasonably well, although testimony was limited. Sponsors said they are still working on addressing issues in bills. MLTA has gone to neutral and will not say anything else. Mortgage Bankers are still opposed, but they did not testify. There were many cards in opposition. Hackworth says that he is working on a revised draft from the last round of comments that we sent him. He seems stuck on recording the NOF and we are pretty adamant the other way. Hackworth also seems pretty sure that the bills will be back and voted out of committee next week.

11) HB 5045 and 5046 of 2025 (Brian BeGole) Kessler Fix Bills

Objective	Amends MSHDA and RJA, respectively to specify what happens if a deed for a foreclosed property is not recorded with ROD within 20 days of property's sale. HB-5045
Status	Passed by House 6/24/26; Referred in Senate to Com. On Local Gov. 7/1/26
Karoub	Tabitha talking with Bankers who are raising questions and D. Pierson assisting in responding 9/1/26, Tabitha will push MBA for sign off on 2 proposed fixes (context fix, and redemption period fix as outlined in DP email of 7-16). Then Tab will push Senate leadership to get this out of committee. 10/6/26, Tabitha trying to set up call with Sponsor and will include David
Leg-Com	7/7/26: Per D. Pierson, HB 5045 amends foreclosure provisions of MSHDA statute. HB 5046 amends foreclosure provisions of Revised Judicature Act. To emphasize requirement of recording affidavit with sheriff's deed, Bankers added language to HB 5045. The problem is that Bankers' language incorporates by reference §3240(2) of RJA. Instead, it should incorporate provision in MSHDA statute calling for affidavit -- which states the same requirement for affidavit in a MSHDA foreclosure. 10/14/26: David participated in call with Karoub and others to continue to pursue fix.

12) HB 5900 of 2026 (Jennifer Wortz) Eminent Domain/Condemnation Reform Package

Objective	Strengthen position of property owners in condemnation actions by increasing financial consequences for weak or unfair takings and by tightening requirements on condemning authorities. HB-5900
Details	**HB 5900** focuses on attorney fees and costs. Expands and clarifies situations where property owner can recover reasonable attorney fees and litigation expenses in a condemnation case—particularly where condemning authority abandons the taking or fails to prevail on core issues like necessity of acquisition.

	Practical effect is to shift more financial risk onto agencies that pursue marginal or poorly supported condemnation actions. **HB 5901** addresses bad-faith conduct and public-use determinations. Amends Act to provide remedies when condemning authority makes bad-faith offer to acquire property and adjusts BOP related to whether taking is truly for public use. Reinforces requirements that agencies make and document genuine, good-faith written offer of just compensation before proceeding with condemnation, and ties consequences to failures in that process.
Status	Intro 4/28/26 and referred to Committee on Judiciary
Karoub	10/6, not discussed
Leg-Com	5/13/26, Jason Long offered to review; 9/1/26, Likely all policy; Jason Long reviewing; 10/5/26, Jason Long prepared detailed memo summarizing, per attached. Summary of summary: **HB 5900 (judicial review of necessity, MCL 213.56)** • Strips UCPA's requirement that courts defer to condemning agency's necessity determination. Today that determination binds court absent fraud, error of law, or abuse of discretion. • Replaces that with a burden on the agency to prove *public use*: by a preponderance of the evidence, or by clear and convincing evidence for blight takings. This only restates what Const 1963, art 10, § 2 already requires. • Removes the prima facie effect of MPSC and federal certificates of necessity, and the binding effect of electric transmission line certificates. • Main concern: bill gives courts no standard for deciding necessity challenges. This risks courts second-guessing project design, or possibly eliminating necessity challenges entirely where the enabling statute doesn't mention necessity. The 2006 constitutional savings clause may limit that risk. **HB 5901 (offers, remedies, written claims, and attorney fees)** • Adds language that good-faith offer requirement applies "when condemnation is reasonably foreseeable." Appears there is no real substantive effect, and the phrase is undefined. • Requires full written appraisal unless the owner waives it in writing. This would raise agency costs and bar practices like a utility using a corridor market study. • Lets owner who sold to agency later sue for gap between just compensation and price if agency didn't make a proper good-faith offer. It also sets civil fine of up to $5,000, collected by county prosecutor. Bill doesn't address a limitations period or attorney fees for these suits. • Narrows when owners must file written claims. Impairment to remaining property becomes part of "just compensation," so it would no longer need a separate claim. • Bars agencies from raising attorney-fee reimbursement baseline with later offers for property or damage they could have identified through "reasonable diligence." The bills are owner-friendly and tie-barred. Bills will matter more to agencies and utilities than to RPLS. Don't recommend a public policy position unless the bills look likely to advance.

13) HB 5542 of 2026 (Pat Outman) Construction Liens on Manufactured Homes

Objective	Amends Construction Lien Act to allow lien on manufactured home

Details	"Residential structure" – would specifically include "a mobile home" and "the land on which the residential structure is or will be located." Many mobile homes are titled as **personal property** not real property, applying construction lien laws raises legal and administrative complications. Mobile homes often sit on rented land in manufactured-housing communities.
Status	Intro 2/19/26 and referred to Committee on Finance
RPLS	4/8/26 RPLS opposed. (Bill does not consider that a mobile home remains personal property unless an affidavit of affixture has been filed with ROD)
Karoub	5/8/26 – Karoub contacted Sponsor and made them aware of RPLS opposition. 9/1/26 - When Caleb spoke with Rep. Outman's office, they said that it was low on their priority list and they were not pushing hard for it with leadership. It is also in its first chamber so the likelihood of this bill passing this term is very low.
Leg-Com	Continue to monitor.

14) SB 738 of 2025 (Mary Cavanagh) – MI Fair Chance Access to Housing Act

Objective	Encourage fair access to housing and prohibit certain screening acts by Landlords [see prior reporting under Landlord Tenant Bills]
Status	Introduced 12/16/25; Referred to Com. on Housing & Human Services 12/16/25
RPLS	On 2-11-26, RPLS opposed. (Including HB 5355)
Karoub	10/6/26, it will not pass; it will die.
Leg-Com	2-26 update per Roxanne: Bills were drafted by Vera Institute, advocacy group focused on ending mass incarceration. Versions not expected to advance, as LL groups strongly oppose and House likely to block. A significantly watered-down substitute is anticipated next week. Karoub will review the substitute but even substitute unlikely to gain traction. Tabitha noted that eviction expungement legislation has stronger likelihood of advancing this session. Although those bills have not yet been introduced, she expects they may be reworked and reintroduced with a more viable path forward. 10/6/26, bill going nowhere.

D. Updates Introduced 8/31/26 – 9/28/26 (see attached)