

**Public Policy Position
HB 5398**

The Real Property Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 3,283 members. The Real Property Law Section is not the State Bar of Michigan and the position expressed herein is that of the Real Property Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Real Property Law Section has a public policy decision-making body with 18 members. On September 27, 2018, the Section adopted its position after a discussion and vote at a scheduled meeting. 14 members voted in favor of the Section's position on HB 5398, 1 member voted against this position, 0 members abstained, 3 members did not vote.

Oppose

Explanation:

The bill creates the potential for fraud in real estate transactions because it allows a successor trustee to sign certificates of trust contrary to the current pertinent real estate statute requiring an attorney's signature.

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