

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

Kent Weichmann

E-mail:

weichmann@earthlink.net

Bill Number:

[SB 0185](#) (Garcia) Housing; landlord and tenants; early lease termination; allow for certain victims of domestic assault. Amends [1972 PA 348](#) (MCL [554.601](#) - [554.616](#)) by adding sec. 1b.

Date position was adopted:

March 7, 2009

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

13 Voted for position

3 Voted against position

0 Abstained from vote

5 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

SB 185 requires landlords to release tenants from their lease if the tenant has a reasonable apprehension of present danger to the tenant and the tenant presents a valid Personal Protection Order, a protective probation, parole, or conditional release order, or a written police report, plus a standardized written verification of endangerment. This allows a victim of domestic violence to seek a safer environment without the burden of paying rent on a property they no longer live in. The Family Law Council felt that the duty imposed on landlords might make them leery of renting to potential domestic violence victims, and that the qualifications for terminating a lease were so broad that people who were not domestic violence victims could use the statute to terminate a lease. The Family Law Section opposes this bill.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2009-SB-0185>