

Public Policy Position
HB 4846

The Real Property Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 3,750 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 October 22, 2025, the Section adopted its position after a discussion and vote at a scheduled meeting. 13 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 5 members did not vote.

Oppose

Explanation:

The Section opposes HB 4846 because it creates issues with the efficient administration of real estate law by having sheriffs take the place of the court in both deciding and enforcing evictions. In keeping with longstanding Michigan law and policy, the determination of interests in real property should be by judicial process. Furthermore, there are existing remedies to address the issue: Summary proceedings for eviction provide a civil remedy, and squatting and trespass are already criminal acts that can be addressed by law enforcement.

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