

**Public Policy Position  
SB 0738 and HB 5355**

The Real Property Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 3,606 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 February 11, 2026, the Section adopted its position after a discussion and vote at a scheduled meeting. 14 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 4 members did not vote.

**Oppose**

**Explanation:**

The Section opposes SB 0738 and HB 5355 because these bills would undermine the fair and orderly administration of real property law by increasing landlords' potential liability for failing to protect tenants from purported known dangers, by creating conflicts with landlords' obligations under federal fair housing laws, and by creating potential conflicts with insurance requirements and availability of insurance in the rental housing market.

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