

## Report on Public Policy Position

**Name of section:**

Elder Law & Disability Rights Section

**Contact Person:**

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**Bill Number:**

[HB 5187](#) (Coulouris) Probate; guardians and conservators; power of conservator to mortgage or place lien on protected individual's home; require prior court approval. Amends secs. 5422 & 5423 of [1998 PA 386](#) (MCL [700.5422](#) & [700.5423](#)).

**Date position was adopted:**

December 1, 2007

**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:**

20

**Number who voted in favor and opposed to the position:**

14 Voted for position

0 Voted against position

0 Abstained from vote

0 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

The bill amends EPIC to require that a conservator obtain court approval to mortgage, pledge or cause a lien to be placed on the protected individual's home. The current language in EPIC requires court approval to "sell or otherwise dispose" of real property.

**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?2007-HB-5187>