

## Report on Public Policy Position

**Name of section:**

Real Property Law Section

**Contact person:**

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**Bill Number:**

[HB 4503](#) (Angerer) Property; other; affidavits to correct errors or omissions relating to previously recorded documents; allow. Amends [1915 PA 123](#) (MCL [565.451a](#) - [565.453](#)) by adding sec. 1d.

**Date position was adopted:**

September 16, 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:**

18

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

13 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

**Position:**

Oppose

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

This bill would allow any person with knowledge of a scrivener's error or omission to record a corrective instrument. The Titles and Conveyancing Committee requested that the Section oppose the bill because it would likely lead to more problems than it solves. In particular, in allowing any person to record instruments purporting to change existing instruments is too open to allowing abuse and clouding title creating potential slanders of title. This should be distinguished from parties to an instrument recording affidavits to correct scrivener errors, which is already permitted.

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-HB-4503>