

Report on Public Policy Position

Name of section:

Real Property Law Section

Contact person:

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Bill Number:

[HB 5753](#) (LeBlanc) Property; land contracts; renting of a home sold on land contract; regulate. Amends title of [1879 PA 237](#) (MCL [565.351](#) - [565.361](#)) & adds sec. 4a.

Date position was adopted:

February 10, 2010

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:

14 Voted for position

0 Voted against position

0 Abstained from vote

4 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

HB 5753 is inconsistent with freedom of contract. In most situations a land contract vendor and vendee can bargain for and agree to a provision prohibiting rental of the property. The vendor and vendee generally have equal bargaining power, and there is no reason to shift the balance of power in favor of the vendor.

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?2010-HB-5753>