**PROPERTY MANAGEMENT ASSOCIATION OF MICHIGAN:**

# LEGISLATIVE COMMITTEE REPORT

September 2018

***PMAM PRIORITY ISSUES***

* **Senate Bill 663 – MacGregor (R-Rockford)/Emotional Support Animals.** We support prohibiting a person from representing that he or she is in possession of an emotional support animal unless that person has a verified disability related need for such support.

STATUS: **Senate Bill 663** referred to Senate Local Government and Elections Committee (Sen. Zorn – R, Chair.) Met with Sen. MacGregor to discuss Committee hearing date. Committee members:

* Dale Zorn – R – 17th Ida
* John Proos – R – 21st Saint Joseph
* Jack Brandenburg – R – 8th Harrison Township
* Tory Rocca – R – 10th Sterling Heights
* Coleman Young – D – 1st Detroit
* **House Bill 4719 – Iden (R-Kalamazoo)/Stop Bedbugs in Michigan.** We support legislation from last term (HB 4520/Iden) which creates statewide standards for eradicating bedbugs in residential rentals.

STATUS: **House Bill 4719** is in House Law & Justice Committee (Co-Sponsor Rep. Kesto is Committee Chair). Conducting follow-up meetings with committee members. Rep. Liberati is receptive to passage with an amendment.

* Testimony on bill on 10/17
* Support: PMAM and Apartments Association. Jeff Barnum and Rep. Iden testified.
* Oppose: MI Poverty Law Program, MML, MTA, ACLU.
* Discussed with Rep. Iden possibility of re-referral to House Regulatory Reform.
* Recommend targeted PMAM member outreach to the following committee members to communicate support of bill:
* Klint Kesto – R – 39th Walled Lake
* Pete Lucido – R – 36th Shelby Township
* Joe Graves – R – 51st Linden
* Martin Howrylak – R – 41st Troy
* Brett Roberts – R – 65th Charlotte
* Lana Theis – R – 42nd Brighton
* Thomas Albert – R – 86th Lowell
* Stephanie Chang – D – 6th Detroit
* Rose Mary Robinson – D – 4th Detroit
* Vanessa Guerra – D - 95th Saginaw
* Frank Liberati – D – 13th Allen Park
* Robert Wittenberg – D – Oak Park

* **House Bill 5221 – Graves (R-Linden)/Make Late Fees Uniform** We support a uniform state policy on rent payment late fees, to be presumed valid at $50 or 10% of the rent, whichever is higher. Like Self-Storage Act.

STATUS: **House Bill 5221** introduced and referred to House Judiciary (Rep. Runestad - R, Chair of House Judiciary). Confirmed with Chairman that a hearing on the bill will likely take place after summer recess. Sponsor of bill requesting a hearing date and awaiting confirmation. Committee members:

* Jim Runestad – R – 44th White Lake
* Lana Theis – R – 42nd Brighton
* Martin Howrylak – R – 41st Troy
* Tristin Cole – R – 105th Mancelona
* Pamela Hornberger – R – 32nd Chesterfield Township
* Beau LaFave – R – 108th Iron Mountain
* Tim Greimel – D – 29th Auburn Hills
* Rose Mary Robinson – D – 4th Detroit
* Vanessa Guerra – D – 95th Saginaw
* William Sowerby – D – 31st Clinton Township

* **House Bill 6044 – Hoitenga (R-Manton)/Stop Unnecessary Licensing**. Currently, all leasing agents must have a real estate license. This is an unnecessary barrier to entry level jobs in our industry which has no public policy benefit.

STATUS: MI Association of Realtors have opposed in the past **House Bill 6044** introduced and referred to House Regulatory Reform Committee (Rep. Iden -R, Chair). Sponsor Rep. Hoitenga requesting a committee hearing. Awaiting confirmation. Committee members:

* Brandt Iden – R – 61st Kalamazoo
* Joe Bellino – R – 17th Monroe
* Klint Kesto – R – 39th Walled Lake
* Kathy Crawford – R – 38th Novi
* Lana Theis – R – 42nd Brighton
* Michael Webber – R – 45th Rochester Hills
* Beth Griffin – R – 66th Paw Paw
* Roger Hauck – R – 99th Mt. Pleasant
* Michele Hoitenga – R – 102nd Manton
* John Reilly – R – 46th Oakland
* Jeremy Moss – D – 35th Southfield
* Scott Dianda – D – 110th Calumet
* John Chirkun – D – 22nd Roseville
* Frank Liberati – D – 13th Allen Park
* Leslie Love – D – 10th Detroit
* Jewell Jones – D – 11th Inkster

***2017-18 BILLS OF INTEREST***

* **HB 6096 – Lucido (R- Shelby Township)/Court Official/Deputy Sheriff Required for Evictions Without Court Order**. Removes authority of property owner to evict while acting in good faith without a court order and replaces that authority with a Court Officer, Bailiff, or Deputy Sheriff.

STATUS: In House Judiciary Committee.

* **HB 6126 – Lucido (R- Shelby Township)/Increase Max. Amount of Security Deposit**. Increases current allowable amount of 1 ½ months’ rent for security deposit by specifying that the amount of a security deposit shall not exceed **2 months’ rent plus $100**.

STATUS: In House Judiciary Committee.

* **HB 6180 – Chang (D-Detroit)/Affordable Housing.**  Specifies that a housing ordinance of a municipality that has a poverty rate equal to or greater than 20% shall require the use of the most current U.S. Department of Housing and Urban Development Fair Market Rent Area that is specific to that municipality for designating the area median income applicable to that municipality in making determination concerning affordable housing.

STATUS: In House Local Government Committee.

* **HB 6181 – Chang (D-Detroit)/State Housing Development Authority Guidelines.**  Specifies that the State Housing Development Authority shall develop and distribute to municipalities best practice guidelines for assessing the needs of older adults who are displaced from their homes due to a rise in the cost of housing that is the result of a residential revitalization and conversion project in the municipality.

STATUS: In House Local Government Committee.

* **SB 1017 – MacGregor (R-Rockford)/Premises Liability/Open and Obvious.** Creates the Premises Liability Act to codify the liability of possessors of real property for injuries to invitees and licensees.

STATUS: In Senate Judiciary Committee. SUPPORT

* **HB 5485 – Hammoud (D- Dearborn)/Require Access to Recycling Services**. Amends Housing Law to require owner of a multiple dwelling unit with 4 or more living units to arrange for on-site recycling services.

STATUS: Unchanged. In House Local Government Committee. OPPOSE

* **HB 5266 – Camilleri (D- Brownstown)/Require Voter Registration Forms**. Upon a tenant taking possession of a unit, requires a landlord to provide the tenant with a state of Michigan voter registration application and instructions.

STATUS: Unchanged. In House Elections and Ethics Committee. OPPOSE

* **HB 5396 – Lucido (R- Shelby Township)/Require Convictions to Recover Premises**. Amends the Revised Judicature Act to require a conviction as opposed to a formal police report in proceedings to recover possession of premises because of assault, battery, or unlawful drugs.

STATUS: Unchanged. In House Law and Justice Committee. OPPOSE

* **HB 5388 – Gay-Dagnogo (D-Detroit)/Housing Inspections Lead-Based Paint.** Democrat sponsored bill to amend Housing Law for inspection and correction of violations under the housing law to include lead-based paint inspection and abatement. Dem co-sponsors are: Sabo, Neeley, Wittenberg, Green, Chang, Elder, Chirkun, Yancey, Peterson, Garrett, and Rose Mary Robinson.

STATUS: Unchanged. In House Judiciary Committee. OPPOSE

* **HB 5281, 5356, 5357 – Lucido (R- Shelby Township)/Training of Assistance Animals**. HB 5281 creates new act for basic obedience training certification program for assistance animals; HB 5356 amends the Dog Law to require notation on a dog license indicating service animal, emotional support animal, or therapy animal; HB 5357 revises requirements for identification card and patch to include basic obedience program certificate of completion or its equivalent

STATUS: Unchanged. In House Agriculture Committee. NEUTRAL

* **HB 5247 – Pagan (D-Canton), HB 5248 – Guerra (D-Saginaw), HB 5249 – Clemente (D-Lincoln Park), HB 5251 – Zemke (D-Ann Arbor)/Domestic Violence.** A package of Democrat bills to provide protections to victims of domestic violence with respect to: sick leave; unemployment benefits; protections under Elliott-Larsen Civil Rights Act; prohibiting local unit of government from penalizing or sanctioning tenants, occupant, or landlords of rental dwellings for contacts made for police or emergency assistance in domestic violence situations.

STATUS: Unchanged. In House Committee on Commerce and Trade. NEUTRAL

* **HB 5005 – Sheppard (R-Monroe), HB 5006 – Kesto (R-Walled Lake), HB 5007 – Iden (R-Kalamazoo), HB 5008 – Huitenga (R-Manton)/Restitution for Landlords.** Amends several codes to provide for restitution in certain that if an appliance is stolen from a rental property, the court shall order restitution for lost rent. Specifically provides that if the crime resulted in a loss of rental income to the victim because the violation rendered the rental property uninhabitable or unfit for its intended purpose, the court shall require that the defendant pay an amount equal to any loss of rental income lost by the victim.

STATUS: Unchanged. In House Law and Justice Committee. SUPPORT

* **HB 4847 – Lucido (R- Shelby Township)/Rent Adjustments**. Specifies that a landlord may adjust rent or other terms of a tenancy at will by giving 1 month’s notice to the tenant.

STATUS: Unchanged. In House Local Government Committee. NEUTRAL

* **HB 4872 – Byrd (D-Detroit)/Housing Discrimination, Military Veterans.** Adds “Military Status” to protections under the Elliott-Larsen Civil Rights Act.

STATUS: Unchanged. In House Military and Veterans Affairs Committee. SUPPORT

* **SB 62 - Hertel (D-Ingham)/Lead Paint.** Amends public health code but cutting in half the lead paint exposure standard.

STATUS: Unchanged. In Sen. Health Policy Committee. OPPOSE

* **SB 110 - Schmidt (R-Grand Traverse /Amends Anti-Rent Control Statute/Clarifies that Affordable Housing Incentives Do Not Violate.** Amends Rent Control Statute to specifically authorize affordable housing incentives. S-1 provides that the Rent Control Statute does not limit the power of a local governmental unit to adopt an ordinance or resolution to implement a plan to use voluntary incentives and agreements to increase the supply of moderate or low cost private residential property available for lease. Any change should be monitored closely for unintended consequences.

STATUS: Senate passed bill 32-4 (Colbeck, Emmons, Hune, Schuitmaker). Referred to House Local Government Committee. OPPOSED bill in Committee

* MI Realtors and Home Builders Association SUPPORT bill.
* Will discuss opposition with House Committee Chair and members during break.
* **HB 4456 – Chang (D-Detroit)/Repeals Anti-Rent Control Statute.** Democrat sponsored bill to repeal state’s rent-control ban. Dem co-sponsors are: [Erika Geiss](http://012.housedems.com/), [Sheldon Neeley](http://034.housedems.com/), [Leslie Love](http://010.housedems.com/), Sherry Gay-Dagnogo, Robert Wittenberg, [David LaGrand](http://075.housedems.com/), [Jim Ellison](http://housedems.com/state-rep-jim-ellison), [Yousef Rabhi](http://housedems.com/state-rep-yousef-rabhi), [Patrick Green](http://028.housedems.com/), [AndySchor](http://068.housedems.com/), [Phil Phelps](http://049.housedems.com/).

STATUS: Unchanged. In House Local Government Committee. OPPOSE.

* **HB 4100 – McCready (R-Oakland Co.)/** Regulate Stormwater Management Utilities by Local Municipalities. Bill would allow for uniform stormwater collection fees.

STATUS: Unchanged. In House Local Government Committee

* **HB 4086 - Tedder (R-Oakland)/** **SB 255 - Green (R-Mayville)/Home Inspection Licensure.** Amends occupational code to license home inspectors. Potentially has some application to multi-family housing.

STATUS: Unchanged. In both Regulatory Reform Committees. NEUTRAL

* **HB 4434 – Neely (D-Flint) / Housing; housing development authority; requirement to offer vacant apartment to mobility-impaired tenants**.

STATUS: Unchanged. In House Local Government Committee. OPPOSE

* **HB 4463 – Van Singel (R-Oceana)/Landlord-Tenant/Eviction/Allows LLC members to represent themselves in certain cases**. Rep. Van Singel, a landlord himself, early on told us he intended to pursue this bill.

STATUS: Unchanged. Passed House 64-43. Referred to Senate Judiciary. SUPPORT

* **SB 329 - Hune (Livingston)/Short Term Rentals/Ban Certain Zoning Restrictions & HB 4503 – Rep. Sheppard (R-Monroe).** Amends Zoning Enabling Act to classify short-term rental (less than 28 days applies to house, 1 to 4-unit apartment or condo unit[s]) as a residential use allowable in a residential zone; exempts from special or conditional use permits; exempts from definition of a commercial use. Billing being pushed by Realtors. STATUS: Unchanged. In Senate Local Government/House Tourism Committees. NEUTRAL

***OTHER ISSUES***

* Legislature returning this week for 2 weeks and then campaigning
* Suggest contact from PMAM members to committee Chairs asking for hearing
* GLAStar on October 12th