

SENATE BILL No. 169

January 29, 2009, Introduced by Senators SCOTT, JACOBS, CLARKE, CLARK-COLEMAN, HUNTER and BRATER and referred to the Committee on Judiciary.

A bill to amend 1978 PA 454, entitled
"Truth in renting act,"
(MCL 554.631 to 554.641) by adding section 4a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 4A. (1) IF A LANDLORD HAS RECEIVED INFORMATION FROM A
2 STATE OR FEDERAL AGENCY THAT THE RESIDENTIAL PREMISES THAT ARE THE
3 SUBJECT OF THE RENTAL AGREEMENT REST ON SOIL THAT IS CONTAMINATED
4 WITH LEAD, THE LANDLORD SHALL NOTIFY ALL TENANTS OF THE RESIDENTIAL
5 PREMISES NO LATER THAN 10 DAYS AFTER RECEIVING THE NOTICE. ANY
6 RENTAL AGREEMENT THAT IS ENTERED INTO ON OR AFTER THE EFFECTIVE
7 DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION SHALL CONTAIN
8 WRITTEN NOTIFICATION OF ANY LEAD-CONTAMINATED SOIL THAT THE
9 LANDLORD HAS RECEIVED NOTIFICATION OF FROM A STATE OR FEDERAL
10 AGENCY AT THE TIME THE RENTAL AGREEMENT IS SIGNED.

11 (2) IF A LANDLORD FAILS TO COMPLY WITH SUBSECTION (1), A
12 TENANT MAY BRING AN ACTION FOR CIVIL DAMAGES THAT THE TENANT HAS

1 INCURRED AS A PROXIMATE CAUSE OF THE FAILURE OF THE LANDLORD TO
2 COMPLY WITH SUBSECTION (1).

3 (3) A LANDLORD WHO FAILS TO COMPLY WITH SUBSECTION (1) IS
4 RESPONSIBLE FOR A CIVIL INFRACTION AND MAY BE ASSESSED A FINE OF
5 \$5,000.00 FOR EACH SEPARATE VIOLATION OF SUBSECTION (1).