

# HOUSE BILL NO. 4180

February 09, 2021, Introduced by Reps. Anthony, Aiyash, Hope, Puri, Young, Sowerby, Weiss, Bolden, Brabec, Stone, O'Neal, Brenda Carter, Pohutsky, Liberati, Garza, Clemente, Kuppa, Scott, Breen and Yancey and referred to the Committee on Regulatory Reform.

A bill to amend 1972 PA 348, entitled

"An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,"

by amending section 7 (MCL 554.607).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**           Sec. 7. **(1)** A security deposit may be used only for the  
**2** following purposes:

1           (a) Reimburse the landlord for actual damages to the rental  
2 unit or any ancillary facility that are the direct result of  
3 conduct not reasonably expected in the normal course of habitation  
4 of a dwelling.

5           (b) Pay the landlord for all rent in arrearage under the  
6 rental agreement, rent due for premature termination of the rental  
7 agreement by the tenant, and for utility bills not paid by the  
8 tenant.

9           **(2) Notwithstanding any other provisions in this act, while a**  
10 **qualified order or declaration is in effect, a tenant may request**  
11 **that the landlord use the security deposit to cover the rent due**  
12 **for the rental unit. If the landlord agrees to the request, the**  
13 **landlord shall apply the security deposit to the rent due for the**  
14 **rental unit.**

15           **(3) As used in this section:**

16           **(a) "Communicable disease" means that term as defined in**  
17 **section 5101 of the public health code, 1978 PA 368, MCL 333.5101.**

18           **(b) "Qualified epidemic" means an epidemic involving a**  
19 **communicable disease that may result in serious illness or death to**  
20 **individuals.**

21           **(c) "Qualified order or declaration" means 1 of the following**  
22 **issued in response to a qualified epidemic:**

23           **(i) An emergency order under section 2253 of the public health**  
24 **code, 1978 PA 368, MCL 333.2253.**

25           **(ii) A state of emergency declared under the emergency**  
26 **management act, 1976 PA 390, MCL 30.401 to 30.421, or 1945 PA 302,**  
27 **MCL 10.31 to 10.33.**