Revised Statutes of 1846 (EXCERPT)
R.S. of 1846
GENERAL PROVISIONS.

554.131 Rent; liability of person in possession of land.

Sec. 31.

Every person in possession of land, out of which any rent is due, whether it was originally demised in fee, or for any other estate of freehold, or for any term of years, shall be liable for the amount or proportion of rent due from the land in his possession, although it be only a part of what was originally demised.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2804 ;-- CL 1871, 4301 ;-- How. 5771 ;-- CL 1897, 9254 ;-- CL 1915, 11809 ;-- CL 1929, 13489 ;-- CL 1948, 554.131

554.132 Rent; assumpsit for recovery.

Sec. 32.

Such rent may be recovered in an action of debt or assumpsit, and the deed of demise, or other instrument in writing, if there be any showing the provisions of the lease, may be used in evidence by either party to prove the amount due from the defendant.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2805 ;-- CL 1871, 4302 ;-- How. 5772 ;-- CL 1897, 9255 ;-- CL 1915, 11810 ;-- CL 1929, 13490 ;-- CL 1948, 554.132

554.133 Rent; other remedies for recovery.

Sec. 33.

Nothing contained in the preceding sections shall deprive landlords of any legal remedy for the recovery of their rents, whether secured to them by their leases, or provided by law.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2806 ;-- CL 1871, 4303 ;-- How. 5773 ;-- CL 1897, 9256 ;-- CL 1915, 11811 ;-- CL 1929, 13491 ;-- CL 1948, 554.133

554.134 Termination of estate at will or by sufferance or tenancy from year to year.

Sec. 34.

(1) Except as provided otherwise in this section, an estate at will or by sufferance may be terminated by either party by giving 1 month's notice to the other party. If the rent reserved in a lease is payable at periods of less than 3 months, the time of notice is sufficient if it is equal to the interval between the times of payment. Notice is not void because it states a day for the termination of the tenancy that does not correspond to the conclusion or commencement of a rental period. The notice terminates the tenancy at the end of a period equal in length to the interval between times of payment.

(2) If a tenant neglects or refuses to pay rent on a lease at will or otherwise, the landlord may terminate the tenancy by giving the tenant a written 7-day notice to quit.

(3) A tenancy from year to year may be terminated by either party by a notice to quit, given at any time to the other party. The notice shall terminate the lease at the expiration of 1 year from the time of the service of the

notice.

(4) If a tenant holds over after a lease is terminated pursuant to a clause in the lease providing for termination because the tenant, a member of the tenant's household, or other person under the tenant's control has manufactured, delivered, possessed with intent to deliver, or possessed a controlled substance on the leased premises, the landlord may terminate the tenancy by giving the tenant a written 24-hour notice to quit. This subsection applies only if a formal police report has been filed alleging that the person has unlawfully manufactured, delivered, possessed with intent to deliver, or possessed a controlled substance on the leased premises. For purposes of this subsection, "controlled substance" means a substance or a counterfeit substance classified in schedule 1, 2, or 3 pursuant to sections 7211 to 7216 of the public health code, 1978 PA 368, MCL 333.7211 to 333.7216.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2807 ;-- CL 1871, 4304 ;-- How. 5774 ;-- Am. 1885, Act 162, Eff. Sept. 19, 1885 ;-- CL 1897, 9257 ;-- CL 1915, 11812 ;-- CL 1929, 13492 ;-- Am. 1935, Act 145, Eff. Sept. 21, 1935 ;-- CL 1948, 554.134 ;-- Am. 1990, Act 311, Imd. Eff. Dec. 14, 1990 ;-- Am. 2004, Act 106, Eff. Sept. 1, 2004 ;-- Am. 2012, Act 140, Imd. Eff. May 22, 2012

554.135 Aliens; realty; right to acquire, hold or convey, descent.

Sec. 35.

Any alien may acquire and hold lands, or any right thereto or interest therein, by purchase, devise or descent, and he may convey, mortgage and devise the same, and if he shall die intestate, the same shall descend to his heirs; and in all cases such lands shall be held, conveyed, mortgaged or devised, or shall descend in like manner, and with like effect, as if such alien were a native citizen of this state, or of the United States.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2808 ;-- CL 1871, 4305 ;-- How. 5775 ;-- CL 1897, 9258 ;-- CL 1915, 11813 ;-- CL 1929, 13493 ;-- CL 1948, 554.135
Former Law: See Act of Aug. 12, 1805; Woodward Code (1805), p. 32; 1 Terr. Laws 32; Cass Code (1816), p. 32; and 1 Terr. Laws 135.

554.136 Aliens; effect of prior deals in realty on title.

Sec. 36.

The title to any lands heretofore conveyed shall not be questioned, nor in any manner affected, by reason of the alienage of any person from or through whom such title may have been derived.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2809 ;-- CL 1871, 4306 ;-- How. 5776 ;-- CL 1897, 9259 ;-- CL 1915, 11814 ;-- CL 1929, 13494 ;-- CL 1948, 554.136

554.137 Remainderman or reversioner; right to sue for injury.

Sec. 37.

A person seized of an estate in remainder or reversion, may maintain an action of trespass on the case, for any injury done to the inheritance, notwithstanding any intervening estate for life or years.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2810 ;-- CL 1871, 4307 ;-- How. 5777 ;-- CL 1897, 9260 ;-- CL 1915, 11815 ;-- CL 1929, 13495 ;-- CL 1948, 554.137

554.138 Joint tenant or tenant in common; action against cotenant.

Sec. 38.

One joint tenant or tenant in common, and his executors or administrators, may maintain an action for money had and received, against his co-tenant for receiving more than his just proportion of the rents or profits of the estate owned by them as joint tenants or tenants in common.

History: R.S. 1846, Ch. 66 ;-- CL 1857, 2811 ;-- CL 1871, 4308 ;-- How. 5778 ;-- CL 1897, 9261 ;-- CL 1915, 11816 ;-- CL 1929, 13496 ;-- CL 1948, 554.138

554.139 Lease or license of residential premises; covenants; modifications; liberal construction, inspection.

Sec. 39.

(1) In every lease or license of residential premises, the lessor or licensor covenants:

(a) That the premises and all common areas are fit for the use intended by the parties.

(b) To keep the premises in reasonable repair during the term of the lease or license, and to comply with the applicable health and safety laws of the state and of the local unit of government where the premises are located, except when the disrepair or violation of the applicable health or safety laws has been caused by the tenants wilful or irresponsible conduct or lack of conduct.

(2) The parties to the lease or license may modify the obligations imposed by this section where the lease or license has a current term of at least 1 year.

(3) The provisions of this section shall be liberally construed, and the privilege of a prospective lessee or licensee to inspect the premises before concluding a lease or license shall not defeat his right to have the benefit of the covenants established herein.

History: Add. 1968, Act 295, Eff. Oct. 1, 1968