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BILL ANALYSIS

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Senate Bill 185 (Substitute S-1 as reported)  
Sponsor: Senator Valde Garcia  
Committee: Economic Development and Regulatory Reform

### **CONTENT**

The bill would amend the landlord-tenant Act to require a tenant to be released from rental payment obligations after he or she submitted notice and documentation of a reasonable apprehension of present danger to the tenant or his or her child from domestic violence, sexual assault, or stalking. The bill describes the documents that a tenant could use to satisfy the documentation requirement.

A rental agreement could contain a specific statement that a tenant could have special statutory rights to seek a release of rental obligation. If the rental agreement did not contain that provision, the landlord would have to post a visible written notice in the property management office, or deliver written notice to the tenant when the lease was signed.

A tenant would have to be released from an obligation to pay rent not later than the first day of the second month that rent was due after notice was given. The release would not apply to prepaid amounts, including prepayment of the first and last months' rent. A release of rental obligation would not take effect before the tenant vacated the premises. The bill would not prevent a landlord from withholding security deposits or affect other sums that the landlord could withhold under the Act or other applicable law.

A landlord could reveal forwarding address information submitted by the tenant only as reasonably necessary to accomplish a regular and ordinary business purpose. The landlord could not intentionally reveal forwarding address information or documentation submitted by the tenant to the person identified as the source of the tenant's apprehension.

If multiple tenants were liable for rental obligations under a rental agreement and a tenant were released from his or her rental obligations under the bill, all other tenants who were parties to the rental agreement would remain subject to it.

Proposed MCL 554.601b

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 2-25-10

Fiscal Analyst: Bill Bowerman