

HOUSE BILL No. 4513

April 9, 2013, Introduced by Reps. Stanley, Slavens, Rutledge, Dillon, Stallworth, Brunner and Driskell and referred to the Committee on Local Government.

A bill to amend 1933 (Ex Sess) PA 18, entitled

"An act to authorize any city, village, township, or county to purchase, acquire, construct, maintain, operate, improve, extend, and repair housing facilities; to eliminate housing conditions which are detrimental to the public peace, health, safety, morals, or welfare; and for any such purposes to authorize any such city, village, township, or county to create a commission with power to effectuate said purposes, and to prescribe the powers and duties of such commission and of such city, village, township, or county; and for any such purposes to authorize any such commission, city, village, township, or county to issue notes and revenue bonds; to regulate the issuance, sale, retirement, and refunding of such notes and bonds; to regulate the rentals of such projects and the use of the revenues of the projects; to prescribe the manner of selecting tenants for such projects; to provide for condemnation of private property for such projects; to confer certain powers upon such commissions, cities, villages, townships, and counties in relation to such projects, including the power to receive aid and cooperation of the federal government; to provide for a referendum thereon; to provide for cooperative financing by 2 or more commissions, cities, villages, townships, or counties or any combination thereof; to provide for the issuance, sale, and retirement of revenue bonds and special obligation notes for such purposes; to provide for financing agreements between cooperating borrowers; to provide for other matters relative to the bonds and

notes and methods of cooperative financing; for other purposes; and to prescribe penalties and provide remedies,"

by amending section 44 (MCL 125.694).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 44. (1) In the operation or management of housing
2 projects, a commission shall ~~at all times observe the following~~
3 ~~duties with respect to rentals and tenant selection: (a) it may~~
4 ~~rent~~ **DO ALL OF THE FOLLOWING:**

5 **(A) RENT** or lease the dwelling accommodations ~~therein only to~~
6 persons of low income.; ~~(b) it may rent~~

7 **(B) RENT** or lease ~~the dwelling accommodations therein only at~~
8 rentals ~~within the financial reach of such~~ **AFFORDABLE TO** persons of
9 low income.; ~~(c) it may rent~~

10 **(C) RENT** or lease to a tenant dwelling accommodations
11 consisting of the number of rooms, but no greater number, ~~which it~~
12 ~~deems~~ **THAT IT CONSIDERS** necessary to provide safe and sanitary
13 accommodations to the proposed occupants, ~~thereof,~~ without
14 overcrowding.; ~~(d) it shall not~~

15 **(D) NOT** accept any person as a tenant in any housing project
16 if the person or persons who would occupy the dwelling
17 accommodations have an aggregate annual net income in excess of any
18 maximum allowed by the federal government pursuant to federal law
19 or regulation in any contract for financial assistance.; ~~(e) it~~
20 ~~shall prohibit~~

21 **(E) PROHIBIT** subletting by tenants.

22 ~~Nothing contained in this section or in section 27 shall be~~
23 ~~construed as limiting~~

24 **(F) ADOPT AND IMPLEMENT A POLICY TO OFFER CURRENT DISABLED**

1 TENANTS A RIGHT OF FIRST REFUSAL TO RELOCATE TO AN AVAILABLE
2 DWELLING ACCOMMODATION ON A LOWER FLOOR OF THE SAME HOUSING
3 PROJECT. AS USED IN THIS SUBDIVISION, "DISABLED TENANT" MEANS A
4 TENANT WHO IS A DISABLED PERSON AS THAT TERM IS DEFINED IN SECTION
5 19A OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.19A, OTHER
6 THAN A TENANT WHO IS A DISABLED PERSON ONLY BECAUSE OF BLINDNESS.

7 (2) NEITHER THIS SECTION NOR SECTION 27 LIMITS the power of a
8 borrower to vest in an obligee or trustee the right, in the event
9 of a default by the borrower, to cause the appointment of a
10 receiver thereof, ~~FOR THE BORROWER, free from all the restrictions~~
11 **ANY RESTRICTION** imposed by this section or ~~by~~ section 27.