



SENATE BILL No. 1161

September 18, 1996, Introduced by Senators NORTH, MC MANUS, GAST, GOUGEON and SCHUETTE and referred to the Committee on Agriculture and Forestry.

A bill to amend section 34 of chapter 66 of the Revised Statutes of 1846, entitled

"Of estates in dower, by the curtesy, and general provisions concerning real estate,"

as amended by Act No. 311 of the Public Acts of 1990, being section 554.134 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 34 of chapter 66 of the Revised Statutes
2 of 1846, as amended by Act No. 311 of the Public Acts of 1990,
3 being section 554.134 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 34. (1) Except as provided otherwise in this section,
6 an estate at will or by sufferance may be terminated by either
7 party by 1 month's notice given to the other party. If the rent
8 reserved in a lease is payable at periods of less than 3 months,

1 the time of notice is sufficient if it is equal to the interval
2 between the times of payment. Notice is not void because it
3 states a day for the termination of the tenancy that does not
4 correspond to the conclusion or commencement of a rental period.
5 The notice terminates the tenancy at the end of a period equal in
6 time to that in which the rent is made payable.

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

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

14 (4) If a tenant holds over after a lease is terminated pur-
15 suant to a clause in the lease providing for termination because
16 the tenant, a member of the tenant's household, or other person
17 under the tenant's control has manufactured, delivered, possessed
18 with intent to deliver, or possessed a controlled substance on
19 the leased premises, the landlord may terminate the tenancy by
20 giving the tenant a written 7-day notice to quit. This subsec-
21 tion applies only if a formal police report has been filed by the
22 landlord alleging that the person has unlawfully manufactured,
23 delivered, possessed with intent to deliver, or possess a con-
24 trolled substance on the leased premises. For purposes of this
25 subsection, "controlled substance" means a substance or a coun-
26 terfeit substance classified in schedule 1, 2, or 3 pursuant to
27 sections 7211, 7212, 7213, 7214, 7215, and 7216 of THE PUBLIC

1 HEALTH CODE, Act No. 368 of the Public Acts of 1978, being
2 sections 333.7211, 333.7212, 333.7213, 333.7214, 333.7215, and
3 333.7216 of the Michigan Compiled Laws.

4 (5) REGARDLESS OF WHETHER RENT IS RESERVED, A NOTICE
5 DESCRIBED IN THIS SECTION IS NOT REQUIRED AS A PRECONDITION FOR
6 EITHER OF THE FOLLOWING:

7 (A) THE TERMINATION OF AN EMPLOYEE'S OCCUPANCY OF HOUSING,
8 IF THAT HOUSING WAS PROVIDED BY AN EMPLOYER PURSUANT TO AN
9 EMPLOYMENT RELATIONSHIP OR AS A BENEFIT OR CONDITION OF
10 EMPLOYMENT.

11 (B) THE TERMINATION OF AN INDIVIDUAL'S OCCUPANCY OF HOUSING
12 LICENSED UNDER PART 124 OF THE PUBLIC HEALTH CODE, ACT NO. 368 OF
13 THE PUBLIC ACTS OF 1978, BEING SECTIONS 333.12401 TO 333.12434 OF
14 THE MICHIGAN COMPILED LAWS, BY THE OWNER OR OPERATOR OF THAT
15 LICENSED HOUSING.