

ORDERS TO VACATE A DWELLING

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 6193 as reported from committee

Sponsor: Rep. Andrew Fink

Committee: Oversight

Complete to 6-29-22

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 6193 would amend the Housing Law of Michigan to revise current provisions concerning orders to vacate infected or uninhabitable dwellings.

Currently, a health officer or other appropriate public official designated by the mayor may issue an order requiring all occupants of a dwelling to vacate it if an inspector or officer of a local health department certifies that any of the following apply:

- The dwelling is infected with a contagious disease.
- The dwelling is unfit for human habitation or is dangerous to life or health because of any of the following:
 - It needs repairs.
 - There are defects in the drainage, plumbing, lighting, or ventilation or the construction of the drainage, plumbing, lighting, or ventilation.
 - There is a nuisance on the premises that is likely to cause sickness among the occupants.
 - Any other cause.

The bill would instead provide that a health officer or other appropriate public official designated by the mayor may issue an order requiring all occupants of a dwelling to vacate it if an inspector or officer of a local health department certifies that any of the following apply:

- The dwelling is infected with a contagious disease.
- The dwelling is unfit for human habitation [for any reason].
- The dwelling is dangerous to life or health because it is in disrepair.
- There are defects in the dwelling's drainage, plumbing, lighting, ventilation, or construction [regardless of whether these defects cause the dwelling to be unfit for human habitation or dangerous to life or health].
- A nuisance on the premises is likely to cause sickness among the occupants.

The bill would retain the current time frame within which an order described above may require occupants to vacate a dwelling (not less than 24 hours or more than 10 days) and a requirement that the order must state why the occupants must vacate the dwelling.

The bill would also retain provisions allowing the health officer or designated public official to cause the dwelling to be vacated if the occupants do not comply with the order and to revoke the order or extend the time period within which the dwelling must be vacated if he or she is satisfied that the danger from the dwelling has ceased to exist or that the dwelling is fit for human habitation.

MCL 125.485

FISCAL IMPACT:

House Bill 6193 would have no fiscal impact for the state, for local health departments, or for local units of government.

POSITIONS:

A representative of the Mackinac Center for Public Policy testified in support of the bill. (6-15-22)

NFIB indicated support for the bill. (6-21-22)

Legislative Analyst: Susan Stutzky
Fiscal Analysts: Viola Bay Wild
Susan Frey

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.