

MICHIGAN UNIFORM ASSIGNMENT OF RENTS ACT (EXCERPT)
Act 115 of 2022

***** 554.1063.new THIS NEW SECTION IS EFFECTIVE SEPTEMBER 22, 2022 *****

554.1063.new Exception for use of collection of rents; protection of rights.

Sec. 13. (1) Unless otherwise agreed by the assignee, and subject to subsection (3), an assignee that collects rents following enforcement under section 8 or 9 need not apply them to the payment of expenses of protecting or maintaining the real property subject to the assignment.

(2) Unless a tenant has made an enforceable agreement not to assert claims or defenses, the right of the assignee to collect rents from the tenant is subject to the terms of the agreement between the assignor and tenant and any claim or defense arising from the assignor's nonperformance of that agreement.

(3) This act does not limit the standing or right of a tenant, assignor, or other affected person to request a court to appoint a receiver for the real property subject to the assignment or to seek other relief on the ground that the assignee's nonpayment of expenses of protecting or maintaining the real property has caused or threatened harm to the tenant's, assignor's, or other affected person's interest in the property.

History: 2022, Act 115, Eff. Sept. 22, 2022.