

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 207

A bill to amend 1976 PA 453, entitled
"Elliott-Larsen civil rights act,"
by amending section 502 (MCL 37.2502), as amended by 2023 PA 6.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 502. (1) A person engaging in a real estate transaction,
2 or a real estate broker or salesperson, shall not on the basis of
3 religion, race, color, national origin, age, sex, sexual
4 orientation, gender identity or expression, familial status, or
5 marital status of an individual or anyone residing with that
6 individual do any of the following:

7 (a) Refuse to engage in a real estate transaction with a
8 person.

9 (b) Discriminate against a person in the terms, conditions, or

1 privileges of a real estate transaction or in the furnishing of
2 facilities or services in connection with a real estate
3 transaction.

4 (c) Refuse to receive from a person or transmit to a person a
5 bona fide offer to engage in a real estate transaction.

6 (d) Refuse to negotiate for a real estate transaction with a
7 person.

8 (e) Represent to a person that real property is not available
9 for inspection, sale, rental, or lease when in fact it is so
10 available, or knowingly fail to bring a property listing to a
11 person's attention, or refuse to permit a person to inspect real
12 property, or otherwise make unavailable or deny real property to a
13 person.

14 (f) Make, print, circulate, post, mail, or otherwise cause to
15 be made or published a statement, advertisement, notice, or sign,
16 or use a form of application for a real estate transaction, or make
17 a record of inquiry in connection with a prospective real estate
18 transaction, that indicates, directly or indirectly, an intent to
19 make a preference, limitation, specification, or discrimination
20 with respect to the real estate transaction.

21 (g) Offer, solicit, accept, use, or retain a listing of real
22 property with the understanding that a person may be discriminated
23 against in a real estate transaction or in the furnishing of
24 facilities or services in connection with that transaction.

25 (h) Discriminate against a person in the brokering or
26 appraising of real property.

27 (2) A person shall not deny a person access to, or membership
28 or participation in, a multiple listing service, real estate
29 brokers' organization or other service, organization, or facility

1 relating to the business of selling or renting real property or
2 discriminate against the person in the terms or conditions of that
3 access, membership, or participation because of religion, race,
4 color, national origin, age, sex, sexual orientation, gender
5 identity or expression, familial status, or marital status.

6 (3) A person that is a landlord of a rental unit shall not,
7 based on the source of income of an otherwise eligible prospective
8 or current tenant, do any of the following:

9 (a) Deny or terminate a tenancy to the prospective or current
10 tenant.

11 (b) Make any distinction, discrimination, or restriction
12 against the prospective or current tenant in the price, terms,
13 conditions, fees, or privileges relating to the rental, lease, or
14 occupancy of a rental unit or in the furnishing of any facilities
15 or services in connection with the rental, lease, or occupancy of
16 the rental unit.

17 (c) Otherwise make unavailable or deny any rental unit to the
18 prospective or current tenant if the prospective or current tenant
19 would be eligible to rent the rental unit but for the individual's
20 source of income.

21 (d) Represent to the prospective tenant that a rental unit is
22 not available for inspection, rental, or lease when in fact it is
23 so available, or knowingly fail to bring a rental listing to the
24 prospective tenant's attention, or refuse to permit the prospective
25 tenant to inspect a rental unit.

26 (e) Make any distinction, discrimination, or restriction
27 against the prospective or current tenant in the price, terms,
28 conditions, fees, or privileges relating to the rental, lease, or
29 occupancy of any rental unit on the basis of the prospective or

1 current tenant's use of emergency rental assistance.

2 (f) If the person is a landlord that requires a prospective or
3 current tenant to have a certain threshold level of income, exclude
4 any source of income in the form of a rent voucher or subsidy when
5 calculating whether the income criteria have been met. This
6 subdivision does not apply to emergency rental assistance.

7 (g) Attempt to discourage the rental or lease of any rental
8 unit to the prospective or current tenant.

9 (h) Publish, circulate, display, or cause to be published,
10 circulated, or displayed any communication, notice, advertisement,
11 or sign of any kind relating to the rental or lease of any rental
12 unit that indicates a preference, limitation, or requirement based
13 on any source of income.

14 (i) Assist, induce, incite, or coerce another person to commit
15 an act or engage in a practice that violates this subsection.

16 (j) Coerce, intimidate, threaten, or interfere with any person
17 in the exercise or enjoyment of, or on account of the person having
18 exercised or enjoyed or having aided or encouraged any other person
19 in the exercise or enjoyment of, any right granted or protected
20 under this subsection.

21 (4) Subsection (3) does not apply to a person if the person,
22 including all related entities to that person, is a landlord of
23 fewer than 5 rental units in this state. As used in this
24 subsection:

25 (a) "Person" means an individual, partnership, corporation,
26 association, limited liability company, or any other legal entity.

27 (b) "Related entity" means a person that, directly or
28 indirectly, controls, is controlled by, or is under common control
29 with another person.

1 (5) ~~(3)~~—This section is subject to section 503.

2 (6) **As used in this section, "landlord", "tenant", and "rental**
3 **unit" mean those terms as defined in section 1 of 1972 PA 348, MCL**
4 **554.601.**

5 Enacting section 1. This amendatory act does not take effect
6 unless House Bill No. 4063 of the 102nd Legislature is enacted into
7 law.