

SENATE BILL NO. 650

October 30, 2025, Introduced by Senator ALBERT and referred to Committee on Government Operations.

A bill to amend 1909 PA 279, entitled
"The home rule city act,"
by amending section 4q (MCL 117.4q), as amended by 2024 PA 83.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4q. (1) A city that has a population of 7,500 or more and
2 is located in any county, or a city that has a population of 3,300
3 or more and is located in a county that has a population of
4 1,500,000 or more, may establish an administrative hearings bureau
5 to adjudicate and impose sanctions for violations of the charter or
6 ordinances designated in the charter or ordinance as a blight

1 violation. The bureau may accept admissions of responsibility for
2 blight violations. Pursuant to a schedule of civil fines and costs,
3 the bureau may collect civil fines and costs for blight violations.

4 (2) The expense of operating an administrative hearings bureau
5 is borne by the city establishing the bureau.

6 (3) An administrative hearings bureau does not have
7 jurisdiction over criminal offenses, traffic civil infractions,
8 municipal civil infractions, or state civil infractions. The bureau
9 and its hearing officers do not have the authority to impose a
10 penalty of incarceration and may not impose a civil fine in excess
11 of \$10,000.00. This section does not authorize a proceeding against
12 a foreclosing governmental unit as that term is defined under
13 section 78 of the general property tax act, 1893 PA 206, MCL
14 211.78, or an authority created under the land bank fast track act,
15 2003 PA 258, MCL 124.751 to 124.774. The city may waive a fine for
16 a blight violation at an owner-occupied dwelling for a first time
17 offender of a blight ordinance, if the offender has corrected the
18 circumstances for the violation.

19 (4) A city that establishes an administrative hearings bureau
20 under this section shall establish by ordinance the jurisdiction of
21 the bureau for adjudicating alleged blight violations, making
22 determinations of responsibility, and imposing sanctions ~~upon~~**on**
23 those found responsible for a violation. The city may designate
24 only a violation of any of the following types of ordinances as a
25 blight violation:

- 26 (a) Zoning.
27 (b) Building or property maintenance.
28 (c) Solid waste and illegal dumping.
29 (d) Disease and sanitation.

1 (e) Noxious weeds.

2 (f) Vehicle abandonment, inoperative vehicles, vehicle
3 impoundment, and municipal vehicle licensing.

4 (g) Right-of-way signage. For purposes of this subdivision,
5 right-of-way signage violation means the placement of signage in a
6 right-of-way without a proper permit from the city.

7 (h) An ordinance that is substantially the same as sections
8 138 to 142 of the housing law of Michigan, 1917 PA 167, MCL 125.538
9 to 125.542.

10 (5) To initiate a proceeding for a blight violation, the city
11 shall issue and serve ~~upon~~**on** an alleged violator a written
12 violation notice on which an authorized local official records the
13 occurrence or existence of 1 or more blight violations by the
14 person cited and that directs the named person to pay a civil fine
15 for the violation or appear at the administrative hearings bureau
16 as provided in this section. A violation notice to appear at an
17 administrative hearings bureau must be treated as made under oath
18 if the violation alleged in the notice occurred in the presence of
19 the authorized local official signing the violation notice and if
20 the notice contains the following statement immediately above the
21 date and signature of the official: "I declare under the penalties
22 of perjury that the statements above are true to the best of my
23 information, knowledge, and belief.". An authorized local official
24 may issue a violation notice to appear if, based ~~upon~~**on**
25 investigation, the official has reasonable cause to believe that
26 the person is responsible for a blight violation and if the city
27 attorney or an assistant city attorney approves in writing issuing
28 the violation notice.

29 (6) If a city has a rental inspection program with which a

1 landlord must register to rent premises for residential purposes
2 and if a landlord of premises rented in the city for residential
3 purposes is registered with the city's rental inspection program,
4 the city shall not issue a blight violation notice during an
5 inspection of the premises unless either of the following occurs:

6 (a) The landlord is given a written correction notice of the
7 violation and a reasonable opportunity to correct the circumstances
8 before a reinspection of the premises or a date specified in the
9 notice.

10 (b) The violation is a direct result of the landlord's action
11 or inaction and creates an emergency that presents an immediate
12 risk of harm to people or damage to property including, but not
13 limited to, a flooded basement or premises without heat.

14 (7) A city that does not have a rental inspection program, or
15 does not require a landlord to register as part of a rental
16 inspection program, shall not issue a blight violation notice to a
17 landlord of premises rented in the city for residential purposes
18 during an inspection of the premises unless either of the following
19 occurs:

20 (a) The landlord is given a written correction notice of the
21 violation and a reasonable opportunity to correct the circumstances
22 before a reinspection of the premises or a date specified in the
23 notice.

24 (b) The violation is a direct result of the landlord's action
25 or inaction and creates an emergency that presents an immediate
26 risk of harm to people or damage to property, including, but not
27 limited to, a flooded basement or premises without heat.

28 (8) The person named in the violation notice shall appear on
29 or before the time specified in the violation notice and may

1 respond to the allegations in the notice, as follows:

2 (a) If the alleged violator wishes to admit responsibility for
3 the blight violation, the person may do so by appearing in person,
4 by representation, or by mail. If appearance is made by
5 representation or mail, the administrative hearings bureau may
6 accept the admission as though the person personally appeared. ~~Upon~~
7 **On** acceptance of the admission, a hearing officer may order any of
8 the sanctions permitted under this section.

9 (b) If the alleged violator wishes to deny responsibility for
10 the blight violation, or admit responsibility with an explanation,
11 the person may do so by appearing in person on the date scheduled
12 for the administrative hearing for the purpose of adjudicating the
13 alleged violation.

14 (c) If the alleged violator fails to appear, a decision and
15 order of default may be entered.

16 (9) If an admission of responsibility is not made and the
17 civil fine and costs, if any, prescribed by charter or ordinance
18 for the violation are not paid at the administrative hearings
19 bureau, and the alleged violator fails to appear at a hearing
20 scheduled in accordance with this section, a final decision and
21 order of responsibility in the amount of the prescribed civil fine
22 and costs may be issued by the administrative hearings bureau.

23 (10) The city establishing an administrative hearings bureau
24 shall establish rules and procedures for an alleged violator to set
25 aside the entry of a decision and order of default.

26 (11) The ordinance establishing the bureau must provide for
27 adjudicatory hearings by hearing officers. Each hearing officer
28 must be an attorney licensed to practice law in this state for ~~at~~
29 ~~least~~ **not less than** 5 years. Hearing officers must be appointed in

1 a manner consistent with the charter of the city for the
2 appointment of other municipal officers or employees and must only
3 be removed for reasonable cause. Before conducting administrative
4 adjudication proceedings, administrative hearing officers must
5 successfully complete a formal training program which includes all
6 of the following:

7 (a) Instruction on the rules of procedure of the
8 administrative hearings that they will conduct.

9 (b) Orientation to each subject area of the ordinance
10 violations that they will adjudicate.

11 (c) Observation of administrative hearings.

12 (d) Participation in hypothetical cases, including ruling on
13 evidence and issuing final orders.

14 (e) The importance of impartiality in the conduct of the
15 administrative hearing and adjudication of the violation.

16 (f) Instructions on the preparation of a record that is
17 adequate for judicial review.

18 (12) The authority and duties of a hearing officer include all
19 of the following:

20 (a) Hearing testimony and accepting evidence that is relevant
21 to the existence of the blight violation.

22 (b) Issuing subpoenas directing witnesses to appear and give
23 relevant testimony at the hearing, ~~upon-on~~ request of a party or a
24 party's attorney.

25 (c) Preserving and authenticating the record of the hearing
26 and all exhibits and evidence introduced at the hearing.

27 (d) Issuing a determination, based ~~upon-on~~ the evidence
28 presented at the hearing, whether a blight violation exists. The
29 determination must be in writing and must include written findings

1 of fact, a decision, and an order. The city has the burden of
2 establishing the responsibility of the alleged violator by a
3 preponderance of the evidence. Unless the burden is met, the matter
4 must be dismissed. A decision and an order must not be made except
5 ~~upon-on~~ consideration of the record as a whole or a portion of the
6 record as may be cited by any party to the proceeding and as
7 supported by and in accordance with the competent, material, and
8 substantial evidence. A decision and order finding the alleged
9 violator responsible for the violation must include the civil fine,
10 if any, or any action with which the violator must comply, or both.

11 (e) Imposing reasonable and proportionate sanctions consistent
12 with applicable ordinance provisions and assessing costs ~~upon-on~~ a
13 finding that the alleged violator is responsible for the alleged
14 violation. The maximum monetary civil fine allowed under this
15 section excludes costs of enforcement or costs imposed to secure
16 compliance with the city's ordinances and is not applicable to
17 enforce the collection of any tax imposed and collected by the
18 city.

19 (13) In addition to fines and costs imposed under subsection
20 (12), the hearing officer shall impose a justice system assessment
21 of \$10.00 for each blight violation determination. ~~Upon-On~~ payment
22 of the assessment, the city shall transmit the assessment collected
23 to the state treasury to be deposited into the justice system fund
24 created in section 181 of the revised judicature act of 1961, 1961
25 PA 236, MCL 600.181.

26 (14) A party must be provided with the opportunity for a
27 hearing during which the party may be represented by counsel,
28 present witnesses, and cross-examine witnesses. A party may request
29 the hearing officer to issue subpoenas to direct the attendance and

1 testimony of relevant witnesses and the production of relevant
2 documents. Hearings must be scheduled with reasonable promptness,
3 except that for hearings scheduled in all nonemergency situations
4 the alleged violator, if the alleged violator **so** requests, must
5 have ~~at least~~ **not less than** 14 days after service of process to
6 prepare for the hearing. For purposes of this subsection,
7 "nonemergency situation" means any situation that does not
8 reasonably constitute a threat to the public interest, safety, or
9 welfare. If service is provided by first-class mail, the 14-day
10 period begins to run on the day that the notice is deposited in the
11 mail.

12 (15) In an administrative hearing under this section, the
13 rules of evidence as applied in a nonjury civil case in circuit
14 court must be followed as far as practicable, but the hearing
15 officer may admit and give probative effect to evidence of a type
16 commonly relied ~~upon~~ **on** by reasonably prudent persons in the
17 conduct of their affairs. Irrelevant, immaterial, or unduly
18 repetitious evidence may be excluded. Effect must be given to the
19 rules of privilege recognized by law. Objections to offers of
20 evidence may be made and must be noted in the record. Subject to
21 these requirements, the hearing officer, for the purpose of
22 expediting hearings and ~~when~~ **if** the interests of the parties will
23 not be substantially prejudiced, may provide in an administrative
24 hearing or by rule for submission of all or part of the evidence in
25 written form.

26 (16) Any final decision by a hearing officer that a blight
27 violation does or does not exist constitutes a final decision and
28 order for purposes of judicial review and may be enforced in the
29 same manner as a judgment entered by a court of competent

1 jurisdiction.

2 (17) A party may file an appeal ~~within~~**not later than** 28 days
3 after entry of the decision and order by the hearing officer. An
4 appeal of a final decision and order of an administrative hearing
5 officer is to the circuit court.

6 (18) An alleged violator who appeals a final decision and
7 order to circuit court shall post with the administrative hearings
8 bureau, at the time the appeal is taken, a bond equal to the fine
9 and costs imposed. A party who has paid the fine and costs is not
10 required to post a bond. If a party who has posted a bond fails to
11 comply with the requirements of supreme court rules for an appeal
12 to the circuit court, the appeal may be considered abandoned, and
13 the bureau may dismiss the appeal on 7 days' notice to the parties.
14 The administrative hearings bureau shall promptly notify the
15 circuit court of a dismissal, and the circuit court shall dismiss
16 the claim of appeal. If the appeal is dismissed or the decision and
17 order are affirmed, the administrative hearings bureau may apply
18 the bond to the fine and costs. An appeal by the city must be
19 asserted by the city's attorney and a bond is not required.

20 (19) An appeal to circuit court must be a review by the court
21 of the certified record provided by the administrative hearings
22 bureau. Pending appeal, and subject to the bond requirement under
23 subsection (18), the hearing officer may stay the order and any
24 sanctions or costs imposed. Once an appeal is filed, and subject to
25 the bond requirement under subsection (18), the court may stay the
26 order and any sanctions or costs imposed. The court, as
27 appropriate, may affirm, reverse, or modify the decision or order,
28 or remand the matter for further proceedings. The court shall hold
29 unlawful and set aside a decision or order of the hearing officer

1 if substantial rights of an alleged violator have been prejudiced
2 because the decision or order is any of the following:

3 (a) In violation of the constitution or a statute, charter, or
4 ordinance.

5 (b) In excess of the authority or jurisdiction of the agency
6 as conferred by statute, charter, or ordinance.

7 (c) Made ~~upon~~**on** unlawful procedure resulting in material
8 prejudice to a party.

9 (d) Not supported by competent, material, and substantial
10 evidence on the whole record.

11 (e) Arbitrary, capricious, or clearly an abuse or unwarranted
12 exercise of discretion.

13 (f) Affected by other substantial and material error of law.

14 (20) Except as otherwise provided in subsection (21) or (22),
15 if the civil fine and costs imposed against a person under this
16 section are \$1,000.00 or more and the person does not pay the civil
17 fine and costs imposed within 30 days after a final decision and
18 order of the hearing officer or of the circuit court under this
19 section, the person is subject to the following:

20 (a) For a first violation, the person is responsible for a
21 state civil infraction and may be ordered to pay a civil fine of
22 not more than \$500.00.

23 (b) For a second violation, the person is guilty of a
24 misdemeanor punishable by imprisonment for not more than 93 days or
25 a fine of not more than \$500.00, or both.

26 (c) For a third or subsequent violation, the person is guilty
27 of a misdemeanor and may be imprisoned for not more than 1 year and
28 shall be fined \$500.00.

29 (21) Subsections (20) and (25) do not apply to any of the

1 following that becomes the owner of a property after foreclosure or
 2 after taking a deed in lieu of foreclosure:

3 (a) A government-sponsored enterprise. As used in this
 4 subdivision, "government-sponsored enterprise" means that term as
 5 defined in 2 USC 622(8), or the Michigan state housing development
 6 authority created under the state housing development authority act
 7 of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c.

8 (b) A financial institution. As used in this subdivision,
 9 "financial institution" means ~~that term as defined in section 4(c)~~
 10 ~~of the Michigan strategic fund act, 1984 PA 270, MCL 125.2004.~~
 11 **state or nationally chartered bank or a state or federally**
 12 **chartered savings and loan association, savings bank, or credit**
 13 **union whose deposits are insured by an agency of the United States**
 14 **government and that maintains a principal office or branch office**
 15 **in this state under the laws of this state or the United States.**

16 (c) A mortgage servicer, as that term is defined in section 1a
 17 of the mortgage brokers, lenders, and servicers licensing act, 1987
 18 PA 173, MCL 445.1651a, that is subject to the mortgage brokers,
 19 lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to
 20 445.1684.

21 (d) A credit union service organization that is organized
 22 under the laws of this state or the United States.

23 (22) Subsections (20) and (25) do not apply to the owner of a
 24 property if, ~~at the time when~~ the civil fine and costs are imposed
 25 against the owner, the owner had filed a principal residence
 26 exemption affidavit as provided under section 7cc of the general
 27 property tax act, 1893 PA 206, MCL 211.7cc, certifying that the
 28 property is owned and occupied as a principal residence by that
 29 owner.

1 (23) An entity described in subsection (21) that becomes the
2 owner of a property after foreclosure or after taking a deed in
3 lieu of foreclosure shall adhere to all ordinances relating to
4 vacant property or blight violations adopted by the city that
5 established an administrative hearings bureau under this section.

6 (24) As used in subsections (20) and (25), "person" means an
7 individual, partnership, corporation, limited liability company,
8 association, or other legal entity. Person includes the partners or
9 members of a firm, a partnership, or an association and the
10 officers of a corporation.

11 (25) Except as otherwise provided in subsection (21) or (22),
12 if a hearing officer or circuit court grants a final decision and
13 order under this section finding a person in violation of a blight
14 ordinance under subsection (4) and the person fails to correct the
15 violation no later than 30 days after the final decision and order
16 is granted, the person is guilty of a misdemeanor punishable by
17 imprisonment for not more than 90 days, a fine of not more than
18 \$500.00, or both.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. 631 of the 103rd Legislature is enacted into
21 law.