

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.5775 “Just cause” required for termination of tenancy; “just cause” defined; change of rental payments or terms or conditions of tenancy.

Sec. 5775.

(1) The tenancy of a tenant in a mobile home park shall not be terminated unless there is just cause for the termination.

(2) For the purpose of this chapter, "just cause" means 1 or more of the following:

(a) Use of a mobile home site by the tenant for an unlawful purpose.

(b) Failure by the tenant to comply with a lease or agreement by which the tenant holds the premises or with a rule or regulation of the mobile home park, adopted pursuant to the lease or agreement, which rule or regulation is reasonably related to any of the following:

(i) The health, safety, or welfare of the mobile home park, its employees, or tenants.

(ii) The quiet enjoyment of the other tenants of the mobile home park.

(iii) Maintaining the physical condition or appearance of the mobile home park or the mobile homes located in the mobile home park to protect the value of the mobile home park or to maintain its aesthetic quality or appearance.

(c) A violation by the tenant of rules promulgated by the Michigan department of public health under section 6 of the mobile home commission act, Act No. 96 of the Public Acts of 1987, being section 125.2306 of the Michigan Compiled Laws.

(d) Intentional physical injury by the tenant to the personnel or other tenants of the mobile home park, or intentional physical damage by the tenant to the property of the mobile home park or of its other tenants.

(e) Failure of the tenant to comply with a local ordinance, state law, or governmental rule or regulation relating to mobile homes.

(f) Failure of the tenant to make timely payment of rent or other charges under the lease or rental agreement by which the tenant holds the premises on 3 or more occasions during any 12-month period, for which failure the owner or operator has served a written demand for possession for nonpayment of rent pursuant to section 5714(1)(a) and the tenant has failed or refused to pay the rent or other charges within the time period stated in the written demand for possession. The written demand for possession shall provide a notice to the tenant in substantially the following form: "Notice: Three or more late payments of rent during any 12-month period is just cause to evict you." Nothing in this subdivision shall prohibit a tenant from asserting, and the court from considering, any meritorious defenses to late payment of rent or other charges.

(g) Conduct by the tenant upon the mobile home park premises which constitutes a substantial annoyance to other tenants or to the mobile home park, after notice and an opportunity to cure.

(h) Failure of the tenant to maintain the mobile home or mobile home site in a reasonable condition consistent with aesthetics appropriate to the park.

(i) Condemnation of the mobile home park.

(j) Changes in the use or substantive nature of the mobile home park.

(k) Public health and safety violations by the tenant.

(3) This section does not prohibit a change of the rental payments or the terms or conditions of tenancy in a mobile home park following the termination or expiration of a written lease agreement for the mobile home site.

History: Add. 1988, Act 336, Eff. May 1, 1989

Admin Rule: R 325.3311 et seq. of the Michigan Administrative Code.