

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

600.6057 Execution; leasehold interest; rights of purchaser; conveyance; deposit; recording; filing notice of levy; effect; payment of rent.

Sec. 6057.

(1) When a leasehold interest is sold on execution, the purchaser is entitled to all the rights and privileges of the defendant in and to the leasehold premises, and may immediately obtain possession thereof from the defendant or person holding under him in the manner provided in the case of an unlawful detainer of lands.

(2) The officer making the sale shall, within 10 days thereafter, execute to the purchaser a conveyance of the leasehold interest, which conveyance, if the unexpired term of such lease then exceeds 3 years, shall be by deed duly executed and acknowledged, as in the case of a conveyance of real estate, which deed shall be deposited with said register of deeds, but shall not be recorded until the expiration of 1 year after the day of sale, and the officer making the sale shall indorse on such deed the date on which it will be entitled to record.

(3) The filing of notice of levy on a leasehold, shall be notice of all the rights acquired by the plaintiff and purchaser at the sale, and the plaintiff in execution or his attorney, shall be thereafter entitled to reasonable notice from the lessor in case the lessor intends to forfeit the lease for any default made by the lessee, or person claiming under him, to the end that the plaintiff shall have a reasonable opportunity to comply with the terms of the lease and save a forfeiture. In case the plaintiff or execution purchaser is compelled to pay any rent due at the date of sale on execution or previous thereto, no redemption may be allowed until the amount so paid is refunded to the plaintiff or execution purchaser, with interest, in addition to the amount for which such leasehold interests may be sold on execution.

History: 1961, Act 236, Eff. Jan. 1, 1963