

1. Expansion of the Elliot Larson Civil Rights Act – House Bill 4003 and Senate Bill 0004

- *We support the expansion of the Elliott-Larsen Civil Rights Act to include sexual orientation and gender identity, codifying the Rouch World v. Department of Civil Rights decision. Michigan Realtors® Legal Action Committee unanimously approved involvement in this case before the Michigan Supreme Court.*
- *The Realtor® Code of Ethics already prohibits this type of discrimination. It is our belief that this codification of case law is important to Michigan to provide housing protections and to attract and maintain a skilled workforce.*

2. Incentives to Increase Housing Availability and Affordability

- *One of the largest factors affecting housing attainability and affordability is lack of supply. Michigan Realtors® supports efforts between the public and private sector to incentivize development and redevelopment to increase the number of available housing units.*
- *State and local government, along with for-profit and non-profit stakeholders, need to consider all options. These include state assistance, economic development tools, flexibility in local regulations, and workforce training.*

3. Including a fair housing requirement for real estate continuing education

- *We are seeking legislation to amend the mandatory legal CE requirements to provide 1 hour of mandatory CE focused on Fair Housing Law each calendar year.*
- *Currently, real estate licensees are required to take 18 hours of continuing education during their 3-year licensing cycle – 2 hours annually of legal education and 12 hours of elective.*
- *This proposed change would not add to the existing number of hours. This additional required hour per year would draw 3 hours from the 12 hours of elective CE.*

4. Short-term rental protections

- *There is a growing trend within local governments to fully ban or severely restrict short-term rentals as a prohibited commercial activity in a residential zone.*
- *We believe that regulation of short-term rentals should be through the housing code and fully support a local government's ability to enact registration, inspection ordinances, and police bad actor renters and landlords.*
- *Short-term rentals not only play a large role in Michigan's rich tourism history, they also provide individuals and families with income, support local economies, and fill gaps in Michigan's housing market for contract workers and short-term relocations.*

5. Uniform Partition of Heirs Property Act

- *When an owner of property dies with a simple will, or without a will in place, specifying ownership of the property, state law defaults to a tenancy in common between the heirs, meaning each owns an equal interest in the property. A tenant in common can sell their interest in the property without the consent of the co-tenants, meaning that non-family members can acquire the property, becoming an area open for abuse and speculation.*
- *Adopting the Uniform Heirs Property Act or creating additional safeguards for heirs' property, as other states have done, preserves the ability of a co-tenant to sell their interest while protecting the other heirs.*

6. Post-Closing Occupancy Agreements

- *Under current law, it is unclear whether and to what extent landlord-tenant laws apply to a seller's post-closing occupancy.*
- *If a landlord-tenant relationship is avoided, however, then there is an issue as to whether the statutory eviction proceedings can be used to remove the seller from the home, if necessary. Further, the lack of a formalized post-closing occupancy agreement between buyer and seller can lead to expensive disagreements pertaining to the maintenance of the property during the period of occupancy.*
- *This legislation would better distinguish landlord tenant law and a post-closing occupancy scenario by amending the Landlord Tenant Relationships Act and the Truth in Renting Act to explicitly provide that they do not apply in the case of seller-occupancy agreements.*

7. Statewide Septic Code

- *Michigan Realtors® supports the formation of a statewide septic code. A statewide septic code should seek to establish the following:*
 - *Move us away from a patchwork of regulation and towards uniform standards for inspections and maintenance.*
 - *Create exclusive jurisdiction for enforcement with the DEQ and Local Health Departments.*
 - *Provide consistent determinations of when an onsite system has failed.*
 - *Create a system to preserve data from septic system installations and inspections.*
 - *Introduce a process for testing and approval of alternative systems into the marketplace.*
 - *Provide a statewide system for inspection at reasonable and regular intervals.*
- *Michigan Realtors® opposes point-of-sale inspection ordinances that encumber the rightful transfer of property pursuant to an agreement between buyer and seller. We believe that the duty of repair should be negotiated and decided between the parties – without a mandate by local government as a condition of the transfer.*