II. RENTERS’ RIGHTS & RESPONSIBILITIES

A. LEASES

If you are a month-to-month renter and/or have a verbal instead of written lease, your landlord can “terminate the business relationship” of renting to you at any time and without any particular reason. This can make your ability to get repairs and maintenance more limited.

The Michigan Landlords and Tenants Guide is available at www.legislature.mi.gov/Publications/tenantlandlord.pdf

B. REPAIR & MAINTENANCE

Repair and Maintenance

A. RESPONSIBILITIES ARE SHARED WHEN MAINTAINING A RENTAL PROPERTY

Q1 What are the landlord’s responsibilities? .......................................................... 26
Q2 What are the tenant’s responsibilities? .......................................................... 27

B. IMPORTANT STEPS TO TAKE IN SOLVING THE PROBLEM(S)

Step 1: Notify the landlord and provide reasonable time for repair .......................... 27
Step 2: Contact the building inspector and schedule an inspection ....................... 27
Step 3: If the landlord has failed to make necessary repairs, either withhold the rent and deposit it into an escrow account OR pay for the repair and deduct the cost from the rent ...... 27
Q1 How much rent should be withheld? .............................................................. 28
Q2 What if the tenant lawfully withholds rent and the landlord starts the eviction process? .................. 28

Additional Considerations

Civil Rights ........................................................................................................ 29
Housing Codes, Smoke Detectors ...................................................................... 29
Pet Restrictions ................................................................................................ 29
Smoking .............................................................................................................. 29
Lend-Based Paint .............................................................................................. 29

Request a hard copy of the Tenants and Landlords guide:
jyorko@ingham.org or 517-272-4144
C. LEGAL HELP FOR RENTERS

Wrongful evictions ● Security Deposits ● Extra/Unfair Charges ● How to properly request and escrow rent to get repairs

Legal Services of South Central Michigan / Legal Aid provides free legal information and assistance to residents within 25% of poverty.
Call 1-888-783-8190, M-Th 9am-11am and Thurs 5pm-7pm. Can also provide a referral if you do not qualify for free help.

Also during the school year:
MSU College of Law, 517-336-8088, Option 2.

D. UNFAIR LANDLORD CHARGES

1. Know your rights. Check the Michigan Landlord Tenant Guide to see which repairs are the landlord’s responsibility and what are your responsibilities. Check your lease. If your lease has loopholes that violate state or federal laws, those sections of the lease may be invalid.

2. Keep a paper trail. Keep a log of dates and times charges were requested. Take and keep photos of issues with dates and times. Keep all letters, receipts and other documents related to the rental. Landlords must provide detailed cost information for any cleaning and repairs they charge to you (even on move-out), not just generic “cleaning fees”. You can request invoices and receipts from them showing hourly rates and number of hours.

3. Seek legal help. Get legal help and go to court if needed. If the property is managed by a property manager, contact the actual owner for resolution before going to court.

E. RENTAL REGISTRATION & INSPECTION RULES

“Registration” means landlords file paperwork on each rental property they own with the city or township. “Inspection” means that they have it inspected according to the local rules. “Certificate of Compliance” means the property does not have outstanding code violations.

<table>
<thead>
<tr>
<th>Meridian Township 517-853-4540</th>
<th>East Lansing 517-319-6857</th>
<th>Lansing 517-483-4361</th>
</tr>
</thead>
<tbody>
<tr>
<td>How often a property must be &quot;registered&quot;</td>
<td>Annually.</td>
<td>Annually.</td>
</tr>
<tr>
<td>The owner(s) shall be responsible for registering a rental property within 30 days following the day on which the owner offers the premises, dwelling or unit for occupancy.</td>
<td>Every year for rental dwelling with 1-2 units.</td>
<td>Inspection and certificate every three years for rental dwellings with 1-2 units, and with ≥3 units having no violations during last inspection.</td>
</tr>
<tr>
<td>How often a property must be inspected</td>
<td>Within 60 days of acceptance of an application for an initial rental registration.</td>
<td>Every year for rental dwelling with 1-2 units.</td>
</tr>
<tr>
<td>How often a property must be inspected</td>
<td>Every year for rental complexes (a group of rental buildings) and of 1/3 of the units of the complex (resulting in every three years for units of rental complexes).</td>
<td>Every year for apartment complexes, and for fraternities, sororities, co-ops and other group living situations.</td>
</tr>
</tbody>
</table>
### Rental Registration & Inspection Rules

#### Unscheduled Inspections

<table>
<thead>
<tr>
<th>Meridian Township</th>
<th>East Lansing</th>
<th>Lansing</th>
</tr>
</thead>
<tbody>
<tr>
<td>517-853-4540</td>
<td>517-319-6857</td>
<td>517-483-4361</td>
</tr>
</tbody>
</table>

Rules on "unscheduled" inspections

Unscheduled inspections at any time without prior notice if chief building inspector has probable cause to believe that a condition in, or related to, the rental property constitutes either a present threat to public health, safety and welfare or a violation of any code.

The chief code official or designee may conduct inspections of any property on the basis of "complaint, such that complaints of violations shall be inspected within a reasonable time."

Inspections may be conducted "when complaints of violations are inspected within a reasonable time."

### Rental Inspection Problems

Ordinances for rental housing registration state that “certificates of compliance” are issued to properties free of code violations.

However, City of Lansing code officers rarely re-inspect to verify that corrections were made before issuing the certificate of compliance.\(^1\) Note also, differences in inspection frequency in Lansing vs. surrounding communities in the previous charts.

#### Lansing Neighborhood Summit for Safe Housing

In April 2015, a resident group formed to advocate for changes to this practice and to improve other code enforcement policies. You can learn more about them and get involved at [www.housingsummit.org](http://www.housingsummit.org) or by contacting Kathreen Francis at 517-214-0766 or admin@housingsummit.org

\(^1\) - [www.lansingcitypulse.com/lansing/article-10787-code-red.html](http://www.lansingcitypulse.com/lansing/article-10787-code-red.html)

### Rental Registration & Inspection Rules

Learn more about property you live in or are considering living in:

- [eastlansing.is.bsasoftware.com](http://eastlansing.is.bsasoftware.com)
- [lansingmi.gov/Property_Information](http://lansingmi.gov/Property_Information)

Look at the “tax” and “building department” tabs to check for rental registration and certificate and inspection details, and to see if the property owners is current or late in paying property taxes.

### Rental Inspection Problems

In 2015, the Lansing City Council created an Ad-Hoc Committee on Rental and Land Contract housing conditions.

Members:

- Council Member Dunbar (Chairperson)
- Council Member Houghton
- Council Member Brown Clarke
- Council Member Wood

Charge: review a series of recommendations to determine whether new policies, ordinances or budgetary priorities need to be set.

More information: **517-483-4177** or [www.lansingmi.gov/Committees](http://www.lansingmi.gov/Committees)

Meetings are open to the public.
F. LOCAL HOUSING CODES

- Local governments (city, township, village) can adopt a local housing code (set of rules) in Michigan. There is no federal housing code, and Michigan leaves it up to local governments.
- Many local governments adopt the International Property Maintenance Code.
  
  This is the standard for rental inspections and other property maintenance rules.

Local housing codes are available for most cities at www.municode.com.

The International Property Maintenance Code was last updated in 2012, and is summarized here:

G. MICHIGAN PUBLIC HEALTH CODE

333.2455 Building or condition violating health laws or constituting nuisance, unsanitary condition, or cause of illness; order; noncompliance; warrant; assessment and collection of expenses; liability; judicial order; other powers not affected.

(1) A local health department or the department may issue an order to avoid, correct, or remove, at the owner's expense, a building or condition which violates health laws or which the local health officer or director reasonably believes to be a nuisance, unsanitary condition, or cause of illness.

(2) If the owner or occupant does not comply with the order, the local health department or department may cause the violation, nuisance, unsanitary condition, or cause of illness to be removed and may seek a warrant for this purpose. The owner of the premises shall pay the expenses incurred.

(3) If the owner of the premises refuses on demand to pay expenses incurred, the sums paid shall be assessed against the property and shall be collected and treated in the same manner as taxes assessed under the general laws of this state. An occupant or other person who caused or permitted the violation, nuisance, unsanitary condition, or cause of illness to exist is liable to the owner of the premises for the amount paid by the owner or assessed against the property which amount shall be recoverable in an action.

(4) A court, upon a finding that a violation or nuisance may be injurious to the public health, may order the removal, abatement, or destruction of the violation or nuisance at the expense of the defendant, under the direction of the local health department where the violation or nuisance is found. The form of the warrant to the sheriff or other law enforcement officer may be varied accordingly.

(5) This section does not affect powers otherwise granted to local governments.

LOCAL CONTACTS – MI PUBLIC HEALTH CODE

Health Department Directors

Ingham County
Linda Vail
lvail@ingham.org  -  517-887-4311

Clinton County
Marcus Cheatam
mcheatham@mmdhd.org  -  989-831-5237

Colette Scrimger
cscrimger@bedhd.org
517-543-2430 or 517-485-7110
H. FAIR HOUSING

Federal, state and local laws apply to Michigan communities regarding housing discrimination. They are detailed at:
www.fhcmichigan.org/what-we-do/about-the-law

SIGNS OF HOUSING DISCRIMINATION

• A refusal to sell, rent, or show available housing
• Requiring different terms and conditions for identical dwellings, i.e. charging higher rent, security deposit for different tenants
• Being told that the dwelling isn’t right for you or your family
• Being told that housing isn’t available in an apartment with a “For Rent” sign
• Housing advertisements that say “no kids” or “adults only”
• A refusal to make a reasonable accommodation or allow a modification to make the dwelling accessible for a person with a disability

SIGNS OF HOUSING DISCRIMINATION

• Harassment or intimidation
• Offering non-standard and unfavorable terms in the purchase of a home or property insurance
• Terms of availability that change between a phone contact and an in-person visit
• Being steered to racially segregated neighborhoods during your home search
• Excessive or inappropriate questioning upon requesting information about a dwelling

RESOLVING FAIR HOUSING ISSUES

To resolve fair housing violations, get help from the Fair Housing Center of Southeastern Michigan or a private attorney.

1-877-979-FAIR (3247)
www.fhcmichigan.org
Examples of Fair Housing Cases Resolved

Chemical Treatment of Bed Bugs Averted
Reasonable Accommodation, Lenawee County

The family of a child with a disability that affected his ability to breathe needed a non-chemical treatment of bed bugs in their rented apartment. FHC staff aided the family in getting a letter from the child’s physician and made a written request for thermal treatment as a reasonable accommodation. The accommodation was granted and the family was able to stay in their apartment.

Apartment Temperature Adjusted
Reasonable Accommodation, Ypsilanti Township

A woman with a disability, whose symptoms are made worse in cold temperatures, signed a lease for an apartment because heat was included in the rental price. She did not realize that the thermostat was preset to go no higher than 73 degrees. The apartment also had drafty windows and doors. After FHC staff requested a reasonable accommodation for the tenant, including a letter from her doctor, the owner raised the temperature limit to 78 degrees, installed weather stripping on the door, and covered the windows in plastic.

Lease Extended
Reasonable Accommodation, Ann Arbor

The Fair Housing Center received a complaint from Michael H., who has quadriplegia, stating that he was going to be forced to lose his apartment. Michael had purchased a home that a group of dedicated volunteers were remodeling for his use. He had arranged a nine-month lease with his current management company, with an option, at the end of the nine months, to stay on with a month-to-month lease until the repairs to his new home were completed.

First FHC Case Filed in Ingham
Hargraves v Spiridakos

Plaintiff Matthew Hargraves contacted the Fair Housing Center after a property owner in Okemos refused to allow him to rent a house because he has four children. FHC testing supported his claim of discrimination based on familial status. FHC Cooperating Attorney Jonathan Weber filed on behalf of Mr. Hargraves in U.S. Federal District Court in February, 2012. The case is assigned to Judge Robert Holmes Bell. This is the first Fair Housing Center of Southeastern Michigan-aided fair housing suit from Ingham County.

Fair Housing Cases Resolved

$20,000 to Monroe Mom
Discrimination Against Families with Kids Case Settles

Cicely Pippens of Monroe has settled her housing discrimination lawsuit against landlord Mildred Trikula for $20,000, with assistance from the Fair Housing Center of Southeastern Michigan.

G. Renter Organizing/Renter Associations

Landlords and property managers have associations that track and influence laws and policies at both state and local levels.

In cities and states with renters’ associations and alliances, renters are more successful in getting rental housing that is more affordable, safe and healthy.

Local resources for creating renters’ associations online at http://tinyurl.com/inghamhome or contact 517-272-4144.