

Michigan's Fair Housing Act of 1968

Public Act No. 112. From the Public and Local Acts of the Legislature of the State of Michigan passed at the regular session of 1968.

The People of the State of Michigan enact:

CHAPTER 1. GENERAL PROVISIONS

564.101 Fair housing; short title. [M.S.A. 26.1300(101)]

Sec.101. This act shall be known and may be cited as the "fair housing act of 1968".

564.102 Definitions. [M.S.A. 26.1300(102)]

Sec. 102. As used in this act:

- (a) "Commission" means the civil rights commission established by the constitution of 1963.
- (b) "Commissioner" means a member of the commission.
- (c) "Complaint" means a written statement, given under oath, alleging an unfair housing practice.
- (d) "Housing accommodation" includes any improved or unimproved real property, or part thereof, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home or residence of 1 or more individuals.
- (e) "Local commission" means a commission on human relations created by 1 or more political subdivisions.
- (f) "National origin" includes the national origin of an ancestor.
- (g) "Person" includes an individual, association, corporation, joint apprenticeship committee, joint stock company, labor union, legal representative, mutual company, partnership, receiver, trust, trustee, trustee in bankruptcy, unincorporated organization; any other legal or commercial entity, the state or any governmental entity or agency.
- (h) "Political subdivision" means a county, city, village or township.
- (i) "Publicly advertised" means a communication by the owner or lessor or a person at his request relative to an offer of sale, rental or lease of a housing accommodation which may be directly received by the public at large or which is indiscriminate as to the recipient of the communication, whether or not the communication is actually directed to the public at large.
- (j) "Real estate broker or salesman" means a person, whether licensed or not, who for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication, or a person employed by or acting on behalf of any of these.
- (k) "Real estate transaction" includes the sale, exchange, rental or lease of real property.
- (l) "Real property" includes buildings, structures, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums and hereditaments, corporeal and incorporeal, or any interest therein.
- (m) "Unfair housing practice" means a practice described in chapter 2.

564.103 Other civil rights not affected. [M.S.A. 26.1300(103)]

Sec. 103. Nothing contained in this act shall be construed as preventing the commission from securing other civil rights guaranteed by law or by the Michigan constitution.

564.104 Unencumbered transfers not prohibited. [M.S.A. 26.1300(104)]

Sec. 104. Nothing in this act shall prevent the unencumbered transfer of property by sale or rental prior to a complaint being filed with the state commission, local commission or circuit court. The state commission, local commission and the circuit courts shall not seek or issue injunctive relief, prior to a complaint being filed, to prevent the unencumbered transfer of properties by sale or rental.

564.105 Severability. [M.S.A. 26.1300(105)]

Sec. 105. If any portion of this act or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or application of this act which can be given effect without the invalid portion or application unless such remaining portions are determined by the court to be inoperable.