

Summary of Michigan House Bill 4960 on
Landlord-tenant Relations and Tenant Organizing

Michigan House Bill No. 4960 would provide legislative authorization for tenant elections to form bargaining unions with rights to strike and engage in arbitration.

Tenants and organizers are required to bargain in good faith, to notify tenants before demanding recognition as a bargaining unit, to gain the support of 50% of the tenants in any "unit," defined as building, before being given recognition, to make regular payments into an escrow account during a strike, to abide by the terms of the last lease during a dispute, whether or not the lease was negotiated by the organization, and to refrain from coercing tenants or a landlord to discriminate against other tenants or prospective tenants in order to encourage membership in a tenant organization.

As long as the tenant union demonstrates the support of 50% of the tenants in any building it claims to represent and has notified the tenants of its demands, the landlord must bargain in good faith. A landlord cannot refuse to renew a lease nor evict tenants because of the participation in activities protected by the act, nor stop management services as a tactic, nor prevent persons from carrying on informational activities about rights under the act in common areas of rented property. Court supervised elections may be held in cases where it appears coercive acts or other violations of this act have occurred, raising doubts about decision by tenants to support or not support the union.

Tenants can take a grievance directly to the landlord rather than dealing through a representative. A protected rent strike is recognized as an affirmative defense in any action by a landlord for rent or eviction. Remedies for any breach of this act are available to both parties in the circuit court where the property is located.

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