

CHAPTER 105

(RIGHT TO RENEW AND RELOCATION ASSISTANCE)

AN ORDINANCE TO ADD SECTION 8:531 TO CHAPTER 105 (HOUSING CODE) OF TITLE VIII OF THE CODE OF THE CITY OF ANN ARBOR – (RIGHT TO RENEW AND RELOCATION ASSISTANCE)

The City of Ann Arbor ordains:

Section 1. That Section 8:531 be added to Chapter 105 of Chapter VIII of the Code of the City of Ann Arbor as follows:

8:531 Right to Renew and Relocation Assistance

(1) Applicability

This article shall apply to all housing accommodations except premises otherwise subject to regulation of rents or evictions pursuant to state or federal law, to the extent that such state or federal law requires “good cause” for termination or non-renewal of such tenancies. This article shall not apply to fraternity houses, sorority houses, student cooperative housing, subleases, or leases of less than 210 days duration.

(2) Renewal of Lease

Within the time periods specified in Ann Arbor City Ordinance 8:530 (1)(a), a landlord must notify each tenant, in writing, whether the lease will be renewed, and must do one of the following:

- a. If the landlord offers renewal, the landlord must present a written lease renewal to the tenants for signature with the offer.
- b. If the landlord claims good cause, the landlord shall notify each tenant in writing of the grounds for the good cause.

If a landlord does not make a good-faith offer to renew a written lease for each tenant before the time period specified in Ann Arbor City Ordinance 8:530 (1)(a) of the current lease period, the landlord shall pay relocation assistance as set forth below, unless the landlord has “good cause” to not offer renewal.

(3) Relocation Assistance

The Relocation Assistance payment shall be equal to two month’s rent based upon the current lease.

(4) Good Cause

A landlord is exempted from paying relocation assistance in any of the following circumstances:

- a. The tenant has not returned a signed renewal to the landlord within the time specified in Ann Arbor City Ordinance 8:530 (1)(c).
- b. If fewer than all current tenants sign a renewal, named replacement tenants must be acceptable to the landlord in the landlord's usual screening process.
- c. The landlord can demonstrate a justification for not offering renewal, that is in existence within the time renewal is to be offered, that would permit a termination of tenancy under the Summary Proceedings Act, MCL 600.5714.
- d. The owner seeks possession so that the owner or a member of the owner's immediate family may occupy the unit as that person's principal residence and no substantially equivalent unit is vacant and available in the same building. "Immediate family" includes the owner's domestic partner or spouse, parents, grandparents, children, siblings, as well as the siblings of the owner's domestic partner or spouse.
- e. The owner will not rent the premises for the succeeding term.

(5) Remedies

A violation of this section constitutes a civil infraction punishable by a fine of not less than \$500.00 for the first offense, not less than \$500.00 and up to \$1,000.00 for each additional or subsequent offense, in addition to an order requiring relocation assistance.

A court may issue enforce any judgement, writ, or order necessary to enforce this section.

To the extent allowed by law, a tenant who has been aggrieved by a violation of the section may bring a civil action for damages, plus costs and reasonable attorney fees, against the landlord. A court shall order two times the withheld relocation assistance for willful violations. Private actions and remedies under this section shall be in addition to any actions for violations which the city may take.