

HOUSE BILL No. 4811

June 5, 2003, Introduced by Reps. Pastor, Brandenburg, Garfield and Vander Veen and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 5739 (MCL 600.5739).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5739. (1) Except as provided by court rules, a party
2 to summary proceedings may join claims and counterclaims for
3 money judgment for damages attributable to wrongful entry,
4 detainer, or possession, for breach of the lease or contract
5 under which the premises were held, or for waste or malicious
6 destruction to the premises. ~~—, but the~~ **The** court may order
7 separate summary disposition of the claim for possession, without
8 prejudice to any other claims or counterclaims. A claim or
9 counterclaim for money judgment shall not exceed the ~~amount in~~
10 ~~controversy which otherwise limits the jurisdiction~~
11 **jurisdictional limits** of the court.

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1 (2) If the court awards damages for physical injury to the
2 premises under subsection (1) by making an award for or based on
3 the cost of repairs, the court shall award damages for labor
4 expended by a landlord in repairing the premises in the same
5 manner as it would if the repairs were performed by a third
6 party. A landlord's labor under this subsection shall be
7 compensated at a rate the court determines to be reasonable based
8 on standard industry wages.