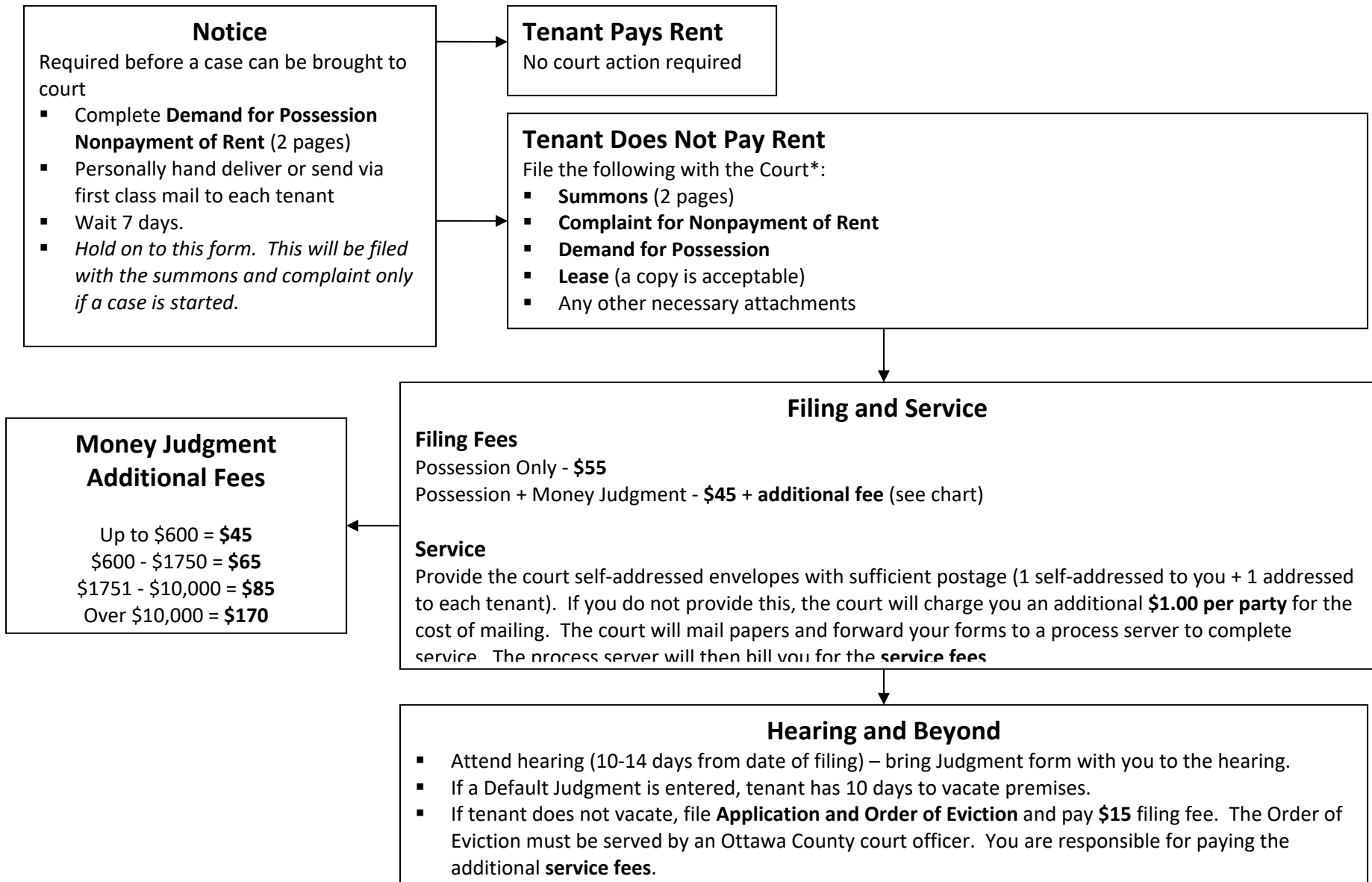


Nonpayment of Rent

(DC 100a, DC 104, DC 102a, DC 105, DC 107)

When to Use:	<ul style="list-style-type: none"> • The tenant has a signed lease; and • The tenant has not paid rent. 				
Filing Fees:	Possession Only - \$55 Possession + Money Judgment - \$45 + additional fee				
Method of Payment:	<ul style="list-style-type: none"> • Cash • Credit Card • Money Order payable to: <i>58th District Court</i> 				
Where to File:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>Grand Haven</u> 414 Washington Grand Haven, MI 49417 </td> <td style="width: 50%; vertical-align: top;"> <u>Hudsonville</u> 3100 Port Sheldon Rd. Hudsonville, MI 49426 </td> </tr> <tr> <td colspan="2" style="padding-top: 10px;"> <u>Holland</u> 85 West 8th St. Holland, MI 49423 </td> </tr> </table>	<u>Grand Haven</u> 414 Washington Grand Haven, MI 49417	<u>Hudsonville</u> 3100 Port Sheldon Rd. Hudsonville, MI 49426	<u>Holland</u> 85 West 8 th St. Holland, MI 49423	
<u>Grand Haven</u> 414 Washington Grand Haven, MI 49417	<u>Hudsonville</u> 3100 Port Sheldon Rd. Hudsonville, MI 49426				
<u>Holland</u> 85 West 8 th St. Holland, MI 49423					
Copies:	None				
Additional Information:	<p>You case must be started in the county where the property is located. Additionally, you must look at the property's zip code to determine where to file (see below).</p> <p>Holland: 49422, 49423, 49424, 49464, 49460 Hudsonville: 49426, 49404, 49401, 49403, 49428, 49427, 49544, 49435 Grand Haven: 49417, 49409, 49456, 49448</p> <p>Provide the court with at least 2 stamped envelopes. Address one envelope to yourself and one to each tenant. If you do not provide stamped envelopes, the court will charge you an additional \$1.00 per party for the cost of mailing. Stamped envelopes are available for purchase in the Legal Self-Help Center.</p>				

Nonpayment of Rent



* Case must be started in the county where the property is located.

STATE OF MICHIGAN	DEMAND FOR POSSESSION NONPAYMENT OF RENT Landlord-Tenant	
--------------------------	---	--

To: **A** _____

L _____

**Notice to mobile home owners who rent
land in a mobile home park:**

If you have been late on payments on three or more occasions during any 12-month period and the park owner has given you a written demand for possession for nonpayment of rent on each occasion, the park owner may have just cause to evict you.

1. Your landlord/landlady, **B** _____, says that you owe \$ **C** _____ rent:
Name (type or print)

D Address or description of premises rented (if different from mailing address)

E _____

2. If you owe this rent, you must do one of the following within 7 days _____ days from the date this notice was served.
- a. Pay the rent owed. **or** b. Move out or vacate the premises.
- If you do not do one of the above, your landlord/landlady may take you to court to evict you. If you move out or vacate, you may still owe rent.
3. If your landlord/landlady takes you to court to evict you and if you have paid the rent, or if you believe there is a good reason why you do not owe the rent, you will have the opportunity to present the reasons why you believe you should not be evicted.
4. If you believe there is a good reason why you do not owe the rent claimed by your landlord/landlady, you can have a lawyer advise you. Call him or her soon.

F _____
 Date

 Signature of owner of premises or agent

 Address

 City, state, zip Telephone no.

CERTIFICATE OF SERVICE

G I certify that on _____ I served this notice on _____
Date Name

- by delivering it personally to the person in possession.
- delivering it on the premises to a member of his/her family or household or an employee of suitable age and discretion with a request that it be delivered to the person in possession.
- first-class mail addressed to the person in possession.
- electronic service to the person in possession (who has consented in writing to such service) at the following electronic service address: _____.

 Signature

STATE OF MICHIGAN	DEMAND FOR POSSESSION NONPAYMENT OF RENT Landlord-Tenant	
--------------------------	---	--

To: _____

L _____

**Notice to mobile home owners who rent
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Address or description of premises rented (if different from mailing address)

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4. If you believe there is a good reason why you do not owe the rent claimed by your landlord/landlady, you can have a lawyer advise you. Call him or her soon.

Date

Signature of owner of premises or agent

Address

City, state, zip

Telephone no.

HOW TO GET LEGAL HELP

1. Call your own lawyer.
2. If you do not have an attorney but have money to retain one, you may locate an attorney through the State Bar of Michigan Lawyer Referral Service at 1-800-968-0738 or through a local lawyer referral service. Lawyer referral services should be listed in the yellow pages of your telephone directory or you can find a local lawyer referral service at www.michbar.org.
3. If you do not have an attorney and cannot pay for legal help, you may qualify for assistance through a local legal aid office. Legal aid offices should be listed in the yellow pages of your telephone directory or you can find a local legal aid office at www.michiganlegalhelp.org. If you do not have internet access at home, you can access the internet at your local library.

Court address Court telephone no.

Plaintiff's name, address, and telephone no.

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.

If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

- Rental unit eviction
- Land contract forfeiture

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. The plaintiff has filed a complaint against you and wants
- to recover possession, after land contract forfeiture, of
 - a money judgment for
 - to evict you from

Address or description of premises

2. You are summoned to be in the district court on _____
Day, date, and time

at the address above, at _____, courtroom _____
Location

- 3. This action is is not brought in the county or district in which the premises or any part of the premises is situated.
- 4. You have the right to have the case tried in the proper county, district, or court. The case will be transferred to the proper county, district, or court if you file a motion with the court for such transfer.
- 5. You have the right to a jury trial. If you do not demand a jury trial and pay the required jury fee in your first defense response, you will lose this right.
- 6. If you are in district court on time, you will have an opportunity to give the reasons why you feel you should not be evicted. Bring witnesses, receipts, and other necessary papers with you.
- 7. If you are not in district court on time, you may be evicted without a trial and a money judgment may be entered against you.

This document must be sealed by the seal of the court.

Court clerk signature and date

CERTIFICATE OF MAILING BY COURT*

I certify that on this date I served a copy of this summons and the complaint and required attachments on the defendant(s) by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

Clerk signature and date

CERTIFICATE OF MAILING*

I served a copy of this summons and the complaint and required attachments on the defendant(s) by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief. I have attached a receipt of mailing from the post office.

Plaintiff signature and date

***The certificate of mailing applies to landlord-tenant cases only.**

STATE OF MICHIGAN JUDICIAL DISTRICT COUNTY	SUMMONS Landlord-Tenant/Land Contract (Tenant's Copy)	CASE NO. and JUDGE
--	---	--------------------

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.

- Rental unit eviction
 Land contract forfeiture

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. The plaintiff has filed a complaint against you and wants
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Address or description of premises

2. You are summoned to be in the district court on _____
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4. You have the right to have the case tried in the proper county, district, or court. The case will be transferred to the proper county, district, or court if you file a motion with the court for such transfer.
5. You have the right to a jury trial. If you do not demand a jury trial and pay the required jury fee in your first defense response, you will lose this right.
6. If you are in district court on time, you will have an opportunity to give the reasons why you feel you should not be evicted. Bring witnesses, receipts, and other necessary papers with you.
7. If you are not in district court on time, you may be evicted without a trial and a money judgment may be entered against you.

This document must be sealed by the seal of the court.

Court clerk signature and date

HOW TO GET HELP

- You have received an important legal document from a court. Your landlord is trying to evict you. This means you could lose your housing and you could owe your landlord money. It is important to respond to this quickly.
- You may hire an attorney to help you answer the complaint and prepare defenses. If you cannot afford an attorney, you can get help at MichiganLegalHelp.org or you might qualify for assistance through a local legal aid office. If you do not have Internet access at home, you can access the Internet at your local library.
- If you do not have an attorney, but have money to hire one, you can find an attorney through the State Bar of Michigan Lawyer Referral Service at 1-800-968-0738 or a local lawyer referral service at michbar.org.
- If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

PROOF OF SERVICE

SUMMONS
Landlord-Tenant/Land Contract
Case No. _____

TO PROCESS SERVER: You are to serve the summons, complaint, and attachment(s) as instructed. You must make and file your proof of service with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

<input type="checkbox"/> I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party (MCR 2.104[A][2]). (notarization not required)	<input type="checkbox"/> I am a legally competent adult who is not a party or an officer of a corporate party. (notarization required)
---	--

CERTIFICATE / AFFIDAVIT / SERVICE BY DELIVERY OR ATTACHMENT

I served personally by registered or certified mail (copy of return receipt attached)

by delivery to a member of the defendant's or defendants' household (who was of suitable age, who was informed of the contents and asked to deliver the papers to the defendant(s))

after diligent attempts at personal service, by securely attaching the papers to the main entrance of the tenant's or tenants' dwelling unit (list personal service attempts below)

a copy of the summons and complaint and the attachments listed below on:

Defendant(s)/Household member's name	Date and time of service
Place or address of service	
Attachments	
Attempts at personal service (provide attempts if service was by secure attachment)	

NONSERVICE RETURN After diligent search and inquiry, I have been unable to serve the defendant(s).

I declare under the penalties of perjury that this return of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	TOTAL FEE \$	Signature
Incorrect address fee \$	Miles traveled	Fee \$		Name (type or print)

Title (if applicable) _____

Note: If documents are served by someone other than a sheriff, deputy sheriff, or other person listed in MCL 600.1910(b), this return must be notarized.

Subscribed and sworn to before me on _____
Date

Deputy clerk/Notary public signature

My commission expires on _____
Name (type or print)

Notary public, State of Michigan, County of _____ Acting in the County of _____
 This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

ACKNOWLEDGMENT OF SERVICE I acknowledge that I have received service of the summons

and complaint, together with _____ on _____
Attachments Date and time

Signature on behalf of _____

(A) STATE OF MICHIGAN 58TH JUDICIAL DISTRICT	COMPLAINT NONPAYMENT OF RENT Landlord - Tenant	CASE NO.
--	---	-----------------

Court address

Court telephone no.

(B) Plaintiff name(s), address(es), and telephone no(s). Plaintiff's attorney, bar no., address, and telephone no.	v	Defendant name(s), and address(es)
--	----------	------------------------------------

The plaintiff states:

- (C)** 1. There is no other pending or resolved civil action arising out of the same transaction or occurrence alleged in this complaint.
 A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The docket number and assigned judge are _____.
 The action remains is no longer pending.
2. Attached to this complaint is a copy of the lease or occupancy agreement, if any, under which possession is claimed, and a copy of the demand for possession showing when and how it was served.
- (D)** 3. The person entitled to possession of the property described in the attached demand for possession is _____.
 Name (type or print)
- (E)** 4. The defendant is in possession of the following portion of the property: _____
- (F)** 5. The plaintiff has a right to possession of the property for nonpayment of rent:
 a. Rental rate: \$ _____ per _____ b. Payable on: _____
 c. Rent is paid through _____ d. Total rent due now is \$ _____
 e. Other money is due: \$ _____ for _____ and due by _____
- (G)** 6. The tenancy involves regulated housing operated by or under rules of a governmental unit. The rule or law under which the tenancy is ended is _____.
- (H)** 7. (Must be checked unless modified by lease.) The plaintiff declares that this residential property was kept fit for the use intended and has been kept in reasonable repair during the term of the lease.
 8. The defendant has not complied with the demands made.
 9. **The plaintiff requests** a judgment of possession and costs.
- (I)** NOTE: If you wish to demand a jury trial, you must file a jury demand (MC 22).

SUPPLEMENTAL COMPLAINT

- (J)** 10. Complaint is made and judgment is sought for money damages against the defendant as follows:
 Rent owing as set out in paragraph 5 above, plus additional rent at the rate of \$ _____ per _____ until judgment, plus costs.
 Damages claimed:

(K) _____ Date	_____ Plaintiff/Attorney signature
--------------------------	---------------------------------------

STATE OF MICHIGAN JUDICIAL DISTRICT	JUDGMENT LANDLORD-TENANT	CASE NO.
--	-------------------------------------	-----------------

Court address _____ Court telephone no. _____

Plaintiff _____

v

Defendant _____

Plaintiff/Attorney

Personal service

Defendant/Attorney

Personal service

THE COURT FINDS:

by hearing default* consent**

*For a defendant on active military duty, default judgment shall not be entered except as provided by the Servicemembers Civil Relief Act.

POSSESSION JUDGMENT

- 1. The plaintiff has a right to recover possession of the property.
- 2. There is now due to the plaintiff for nonpayment of rent and other money due under the lease:
 - a. Rent to retain possession \$ _____
 - b. Other money due..... \$ _____
 - c. Costs..... \$ _____
 - d. Total \$ _____
- 3. The defendant has a right to retain possession.

IT IS ORDERED:

- 4. a. The plaintiff can apply for an order evicting the defendant if the defendant does not pay the plaintiff or the court the amount due in item 2d above or does not move out on or before _____ Date _____.
- b. The plaintiff can apply for an order evicting the defendant if the defendant does not move out on or before _____ Date _____.
- c. An immediate order of eviction shall be entered pursuant to MCL 600.5744(3).
- 5. The defendant may be liable for money damages after moving if additional rent is owed or if there is damage to the property.
- 6. Acceptance of partial payment of the total amount due in item 2d above will will not prevent the court from issuing an order evicting the defendant.
- 7. No money judgment is entered at this time.

MONEY JUDGMENT

- 8. A possession judgment was previously entered. Damages \$ _____
- 9. A money judgment, which will earn interest at statutory rates, is entered as follows:

Costs	\$	_____
Total	\$	_____

10. **THE COURT FURTHER ORDERS:** _____

Date Judge Bar no.

YOU ARE ADVISED that you may file a motion for a new trial, a motion to set aside a default judgment, or an appeal and appeal bond, which must comply with all court rules and must be filed in court by _____. You may want legal help.
Date

MCR 4.201(l) was explained to the parties.

CERTIFICATE OF MAILING: I certify that on this date I served a copy of this judgment on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

Date Deputy clerk

****Approved:**

Date	Plaintiff/Attorney
Date	Defendant/Attorney

STATE OF MICHIGAN JUDICIAL DISTRICT	APPLICATION AND ORDER OF EVICTION Landlord-Tenant / Land Contract	CASE NO.
--	--	-----------------

Court address _____ **Court telephone no.** _____

Plaintiff's name, address, and telephone no.

v

Defendant's name(s) and address(es)

Plaintiff's attorney, bar no., address, and telephone no.

NOTE: An application may be required even though a request for an order of eviction is granted in the judgment.

APPLICATION

1. On _____ judgment was entered against the defendant(s) and the plaintiff was awarded
Date
 possession of the following described property: _____

2. No payment has been made on the judgment or no rent has been received since the date of judgment, except the sum of
 \$ _____ received under the following conditions: _____

3. The plaintiff has complied with the terms of the judgment.

4. The time stated in the judgment before an order of eviction can be issued has elapsed.

I declare that the statements above are true to the best of my information, knowledge, and belief.

Date

Plaintiff/Attorney signature

ORDER OF EVICTION

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN:

To the Court Officer: You are ordered to restore the plaintiff to, and put the plaintiff in, full possession of the premises.

Date issued

Judge Bar no.

NOTE: In tenancy cases, this order must be executed within 56 days of the issuance date.

**APPLICATION AND ORDER
OF EVICTION**

CASE NO. _____

RETURN

I certify and return that on _____ I executed the order of eviction on the other side of this form
Date

by evicting _____
Name(s)

from the property, and I have restored the plaintiff to peaceful possession as ordered.

Date

(Deputy) sheriff/Court officer/Bailiff

Service fee \$	Miles traveled	Fee \$	
Incorrect address fee \$	Miles traveled	Fee \$	TOTAL FEE \$

DISPOSITION OF LOST, UNCLAIMED, OR ABANDONED PERSONAL PROPERTY
Act 238 of 1957

AN ACT to authorize the sale or other disposition of lost, unclaimed or abandoned personal property in the custody of state departments, boards or institutions; and to provide for the disposition of the proceeds of any such sale.

History: 1957, Act 238, Eff. Sept. 27, 1957.

The People of the State of Michigan enact:

434.151 Lost, unclaimed or abandoned personal property in custody of state; application of act.

Sec. 1. The provisions of this act shall apply to:

(a) Personal property of patients in state hospitals remaining after the death, discharge, release or escape of the patient and unclaimed by the patient, his or her relatives or heirs or personal or legal representative.

(b) Personal property of prisoners in state prisons remaining unclaimed after the death, discharge, release or escape of a prisoner and unclaimed by the prisoner, his relatives or heirs, or personal or legal representatives.

(c) Personal property lost or abandoned by the owners thereof in or on state owned property administered by the department of conservation and turned into the custody of said department.

(d) Personal property lost or abandoned by the owners thereof in or on other property owned, leased or rented by the state of Michigan for the use of state departments, boards and institutions.

History: 1957, Act 238, Eff. Sept. 27, 1957.

434.152 Personal effects without intrinsic or commercial value of certain state hospital patients; applicability of act.

Sec. 2. The provisions of this act do not apply to property subject to the provisions of the uniform unclaimed property act, or to property subject to the provisions of Act No. 203 of the Public Acts of 1937, being sections 28.401 to 28.406 of the Michigan Compiled Laws. The provisions of this act apply to personal effects of no intrinsic or commercial value of deceased, discharged, or escaped state hospital patients.

History: 1957, Act 238, Eff. Sept. 27, 1957;—Am. 1995, Act 46, Eff. Jan. 1, 1996.

434.153 Lost, unclaimed or abandoned personal property in custody of state; appraisal.

Sec. 3. Each state department, board or institution when necessary to accomplish the purposes of this act shall delegate authority to 2 or more of its employees, hereinafter called appraisers, to examine and appraise lost or abandoned property in its possession remaining unclaimed for at least 6 months. The said appraisers shall examine, appraise and inventory each article of lost or abandoned personal property. Property found to be of no intrinsic or commercial value in the opinion of the appraisers shall be inventoried and recorded separately from property found by the appraisers to have intrinsic or commercial value. A record of property having intrinsic or commercial value containing a description of the property, the name of the county where found, and the appraisers' estimate of its value shall be made and a copy thereof forwarded to the commissioner of the state police.

History: 1957, Act 238, Eff. Sept. 27, 1957.

434.154 Lost, unclaimed or abandoned personal property in custody of state; professional opinion as to intrinsic value; appraiser's opinion as to value.

Sec. 4. Should the said appraisers be unable to decide whether or not certain articles of lost or abandoned property are of intrinsic or commercial value, professional opinion may be sought. No fee shall be payable for such opinion. Whether or not professional opinion is sought as to the value of any article of lost or abandoned property, the opinion of the said appraisers, made in the exercise of ordinary care and pursuant to this act, shall be prima facie evidence of the value of such property.

History: 1957, Act 238, Eff. Sept. 27, 1957.

434.155 Lost, unclaimed or abandoned personal property in custody of state; sale by commissioner of state police.

Sec. 5. Upon the request of the commissioner of the state police, property previously reported to him pursuant to the provisions of section 3 of this act shall be delivered to his custody at the East Lansing state police headquarters or to such state police post as the state police commissioner may direct. Said property

shall be sold at any ensuing state police sale of stolen property, such sale and the disposition of the proceeds of such sale to be governed by the provisions of Act No. 203 of the Public Acts of 1937, except that such property need not be held by the state police for the 6 months' period provided in that act.

History: 1957, Act 238, Eff. Sept. 27, 1957.

434.156 Lost, unclaimed or abandoned personal property in custody of state; disposition of property without intrinsic value.

Sec. 6. Property found by the appraisers to be of no intrinsic or commercial value, after being appraised and recorded as such, may be donated to state institutions for the use of patients or inmates or to charitable institutions, or may be destroyed, but the inventories of such property shall first be submitted to the state administrative board and the authority of that board secured for such disposition of the property. Property remaining unsold by the state police after having been offered for sale at any 2 state police sales may be disposed of by the commissioner of the state police in the same manner upon order of the state administrative board.

History: 1957, Act 238, Eff. Sept. 27, 1957.