



**Fox Glen Apartments and Fitness Club**  
**6301 Fox Glen Drive**  
**Saginaw, MI**  
**989-792-2051**  
**1-800-649-3777 TTY**

**April 10th, 2025**

This Selection Plan is for new applicants and existing residents wishing to add adult individuals to their household living at Fox Glen Apartments and Fitness Club.

**MANAGEMENT AGENT**

This property is managed by Legacy LLC, 2195 Milford Rd. Suite B, Milford, MI 48381. For any questions, please call 248-769-7370.

**PURPOSE OF PLAN**

The purpose of this Resident Selection Plan is to establish guidelines for the selection of residents from a pool of applicants in accordance with state/federal civil rights and fair housing legislation, and to preclude admission of applicants whose habits and practices would have a detrimental effect on other residents, the property, or the neighborhood environment.

**AVAILABILITY OF PLAN**

This Resident Selection Plan is available to the public upon request. It may be reviewed in the site rental office at the address listed above during normal office hours.

**MODIFICATION OF PLAN**

Management will review this Resident Selection Plan at least once annually to ensure that it reflects current operating practices. If the property feels the plan needs to be modified in any way, notice of such modification will be provided by public forum to other interested persons.

**NON-DISCRIMINATION**

It is the policy of this property to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Michigan Elliot-Larsen Civil Rights Act of 1976 (See attached excerpt 37.2102) and any legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted. This property and Management Agent does not discriminate against any protected class as established by the local ordinances of Saginaw Charter Township, Saginaw County, state, and federal law.

The property will not discriminate on the basis of religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status, marital status or source of income in the leasing, rental, or use or occupancy thereof. In addition, the property will not:

- Deny to any applicant the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs;
- Provide housing which is different from that provided others;

- Subject a person to segregation or disparate treatment;
- Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Deny a person access to the same level of services; or
- Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the program.

The property shall not automatically deny admission to a particular group or category of otherwise eligible applicants. Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

**SECTION 504 OF THE REHABILITATION ACT OF 1973**

It is the policy of this property to assure that qualified individuals with handicaps or disabilities are not discriminated against on the basis of their handicap or disability. The property also assures that these individuals will have equal opportunity to receive and enjoy the benefits of living at the property.

**REASONABLE ACCOMMODATIONS**

The property will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of the Rehab Act of 1973, the property will make reasonable accommodation for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services at this property where such modifications would be necessary to afford full access to the housing program for qualified individuals with handicaps.

In reaching a reasonable accommodation with, or performing structural modifications for otherwise qualified individuals with disabilities, the property is not required to:

- Make structural alterations that require the removal or altering of a load-bearing structural member;
- Provide support services that are not already part of its housing programs;
- Take any action that would result in a fundamental alteration in the nature of the program or service;
- Take any action that would result in an undue financial and administrative burden on the property, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

**MARIJUANA USE**

The Controlled Substances Act (CSA) categorizes marijuana as a Schedule 1 substance and therefore the manufacture, distribution, or possession of marijuana is a federal criminal offense. Because the CSA prohibits all forms of marijuana use, the use of marijuana for recreational purposes or medical purposes is illegal under federal law even if it is permitted under state law. In addition, the property will terminate the tenancy for any household with a member who the property determines is illegally using a controlled substance, or whose illegal use, or pattern of illegal use, of a controlled substance is determined by the property to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

### **INFORMATION REGARDING HANDICAPS**

The property ensures that any questions related to handicapped information on the application for housing have to do with program eligibility. It is not required that any information regarding a possible handicap be revealed other than for program eligibility requirements.

### **NEUTRAL POLICIES**

The property will make reasonable adjustments to rules, policies, practices, and procedures in order to enable an applicant or resident with a disability to have an equal opportunity to use and enjoy the unit and the common areas of a dwelling, or to participate in or have access to other activities conducted or sponsored by management.

### **AUXILIARY AIDS TO ENSURE EFFECTIVE COMMUNICATION**

The property will seek to effectively communicate with applicants, residents, and members of the public who are individuals with handicaps or disabilities. The property requests 7 days' notice in order to make any service, meeting, interview, appointment, or any business accessible through the use of auxiliary aids. Requests for auxiliary aids may include visual alarms, tactile signs, visual doorbells, readers, interpreters, large print or Braille applications, leases, and other information/communications, recordings of such information, and a community room television that provides closed-captioning service.

### **ASSISTANCE ANIMALS**

Management will allow assistive animals which are defined as animals that are used to assist, support, or provide service to persons with disabilities. Assistance animals – often referred to as “service animals”, “assistive animals”, “support animals”, or “therapy animals” – perform many disability-related functions including but not limited to guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection, or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. PooPrints registration fees are used at this property free of charge to service/assistance animals. Contact the property for current fines associated with this program.

### **PETS**

We allow up to two pets per home. Contact the office for current fees. An up-front pet fee upon initial move in or approved transfer is required. Contact the office for current up-front fees and pet policy. Poo Prints is used at this property. Contact the property for current fees/fines associated with this program.

### **REASONABLE MODIFICATIONS**

In accordance with the Fair Housing Act, management will permit residents with handicaps or disabilities to make reasonable modifications to their individual units or common areas at the residents own expense. When the resident vacates the unit, s/he must agree to restore the premises to the condition that existed before the modification, if requested by the property. The property will not require this restoration if the modification benefits the property or is needed

by another resident. To ensure that funds will be available to pay for restorations at the end of the tenancy, management will negotiate as part of the restoration an agreement requiring that the resident pay into an interest bearing escrow account, a reasonable amount of money, not to exceed the cost of the restorations. Management will require that the work be done utilizing licensed contractors, and that any required building permits will be obtained.

**MITIGATING CIRCUMSTANCES AND EQUAL ACCESS**

Section 504 and Fair Housing regulations state that consideration for mitigating circumstances shall be given to all persons applying for occupancy. If an applicant feels there is a mitigating circumstance or reasonable accommodation to be considered for determining occupancy, they should contact the property immediately to schedule a meeting. Management will provide assistance to ensure equal access to a resident's documents. An individual with disabilities is responsible for providing her/his own transportation to and from the location where all documents are kept.

**PRIVACY ACT OF 1974/ACT 5 U.S.C 552a**

It is the policy of the property to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and to ensure the protection of such individuals' records maintained by the property. Management has established safeguards to deter any of its agents or employees from disclosing or inappropriately inspecting any documents.

**CONSENT TO DISCLOSE AN INDIVIDUAL'S INFORMATION TO ANOTHER PERSON OR ENTITY**

The Privacy Act prohibits the disclosure of an individual's information to another person without the written consent of such individual.

**INFORMATION ON HANDICAPS/DISABILITIES**

Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on an applicant's/resident's handicap or disability will be treated in a confidential manner.

**INVESTIGATIONS INTO FRAUD/CRIMINAL ACTIVITIES**

This privacy policy is not intended to preclude the cooperation of management/agent with local, state, or Federal investigations into fraud or criminal activity. With proper identification, the property is permitted to advise the investigating officer whether or not an individual is a resident, how long an individual has been a resident, and any other appropriate answers to questions related to the investigation. The property will not make files, forms, or documents available to the investigating officer unless a court order for such action is provided.

**PROOF OF IDENTITY/AGE RESRTICTIONS**

All Applicants 18 years of age or older must provide documentation of their identity in the form of a government issued photo ID. Applicants must be at least 18 years of age at the time of application submission.

**APPLICATION INTAKE AND PROCESSING** - All persons wishing to be admitted to the property, or placed on the property's waiting list, must complete an application along with a non-refundable

application fee of \$50 per adult household member. Initial applicants are required to complete an application package prior to being considered for admission.

- A. The date and time the application package is initially received by the on-site office is the determining factor for waiting list and/or admission position.
- B. Once your application has been processed and approved, the applicant is contacted. The applicant can choose to secure the available home or be placed on the waitlist. The applicant has 48 hours to pay a hold fee of \$300. This hold fee includes a good faith deposit of \$100 (refundable if a home is not available within 120 days of approved application and a non-refundable \$200 Administrative fee. If a response is *not* received within the specified time; Fox Glen will consider the apartment forfeited and will offer it to the next applicant on the waitlist or place it back on the market as available to rent.
- C. Once an applicant has paid their hold fee, the applicant must cancel within 72 hours from accepting the apartment home or being placed on the waitlist, the good faith deposit of \$100 will be refunded.
- D. No preference for units will be given.

### **Waitlist**

It is the applicant's responsibility to communicate with the site staff regarding extension of their initial move in timeline. If no contact has been received prior to the move in timeline expiration (maximum 120 days), the applicant will be removed from the waitlist and required to reapply.

Applicants can submit applications by mail, email, property website, fax, or in-person. If an applicant(s) needs further assistance or reasonable accommodations Fox Glen Apartments will provide any reasonable request for assistance in the application process. Example, but not limited to verbal submission through staff, translator (by availability) or TDD.

### **APPLICANT SCREENING POLICY**

Certain key questions relating to the applicant's eligibility and resident history will be asked, including Social Security numbers and the names, addresses and telephone numbers of current and former landlords. If applicant(s) cannot provide a Social Security number, documentation of eligible noncitizen status as an immigrant to the US will be accepted (see attached acceptable documentation). Failure to provide this information will result in cessation of application processing. Property staff will assist applicants, as needed, in understanding the application process and completing forms. Applicants will be instructed on what aspects of their background will be checked. An applicant has the right to voluntarily withdraw from the application process at any time.

### **MISINFORMATION/FRAUD**

The applicant will be rejected if it is determined that they purposely mislead, misinformed, misrepresented or committed fraud in completing the application, associated documents, or application process. This includes but is not limited to criminal background information. If a determination is made to deny admission to the applicant, the property must notify the applicant (s) of the proposed denial of admissions, provide the subject of the record and a copy of the

information the action is based on. Management will also provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

**PROHIBITED SCREENING**

- The owner will comply with all applicable federal, state, or local fair housing and civil rights laws and with all applicable civil rights related program requirements.
- The owner will not discriminate in its screening process based on religion, race, color, gender, physical or mental disabilities, national origin, age, height, weight, familial status, marital status or source of income
- The property will uniformly require all applicants to furnish evidence of ability to meet the obligations of tenancy, but will not impose greater burdens on persons with disabilities. Persons with disabilities may meet the requirements of the lease with the assistance of others such as attendant care providers;
- The owner will not require physical examinations or medical testing as a condition of admission;
- The owner will not require a donation, contribution or membership fee as a condition of admission;
- The owner will not make an inquiry to determine whether an applicant has a disability, or to make inquiry as to the nature or severity of a disability.

**PROCEDURES TO DETERMINE AN APPLICANT’S ELIGIBILITY:**

**SCREENING FOR CREDIT HISTORY**

Management will screen all applicants for their credit activity using a statistical scoring model which takes into account activity for the past 7 years. Applicants that do not meet the property’s minimum credit score, will be allowed to meet additional criteria (See attached for specific Scoring Model). Management will not reject an applicant for a lack of a credit history or medical. Any non-telecommunication accounts or rental debt that shows delinquency, with a qualifying score will be an automatic denial.

**RECORD OF EVICTION**

Management will check court records for evidence of evictions or judgments against the applicant, to determine the applicant’s past history of meeting financial obligations, and their future ability to make timely rent payments. If it is determined by management that the applicant is not credit worthy, or has landlord court records within the last twelve months, the applicant will be rejected.

An applicant will in no way be held accountable by the property for the rental delinquency or other problems of a former household of which the applicant was a member, but not a leaseholder.

**SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY**

If the applicant meets the property credit screening criteria, the property will then process the criminal background check through Screening Reports (see attached). The applicant will be denied if they have engaged in the following criminal activity:

- Any household member is currently engaging in illegal drug use.
- Management determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)
- Management determines that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Other criminal activity as outlined in the attached document.

### **SCREENING FOR SEX OFFENDER STATUS**

Management will deny admission to any member of the household that is subject to a lifetime registration requirement or any current sex offender registration requirement pursuant to the Sex Offender Registration Act (or a similar law in another jurisdiction); and/or a current child sex offender residency restriction. During the admission screening process, management will perform the necessary criminal history background checks in the state where the housing is located, and in every state where all household members are known to have resided. Management will use Screening Reports when screening for sex offender status.

If management learns that a lifetime sex offender was erroneously admitted, the property will offer the family the opportunity to remove the ineligible family member from the household. If management learns that a tenant is committing criminal activity while living on the property, management will terminate tenancy.

### **MISREPRESENTATION OF INFORMATION**

If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, history, or behavior in a manner that would affect eligibility, applicant selection criteria qualification, the application shall be rejected.

### **NEW ADDITIONS TO THE HOUSEHOLD**

In order to add adult family members to the household as a lease holder, the person or persons must complete an application package and are subject to the same screening criteria as all incoming residents. In order to add an adult family member as an occupant, they are subject to the current criminal screening criteria. If they do not pass the criminal screening criteria, they will not be allowed to move into the household. All additional adult household members to be added are subject to the current screening fee.

### **APPEAL PROCESS**

All denied applicants have 14 days to respond in writing as stated in the adverse action letter, or to request a meeting to discuss their denial. Appeal letters should be sent to the management agent address on the cover page of this plan or emailed to [appeals@legacypmc.com](mailto:appeals@legacypmc.com). An appeals committee who was not involved in the initial decision to deny admission will conduct any meeting with the applicant. A written response will be sent to the applicant within 5 days following the review meeting with the final decision.

**OCCUPANCY STANDARDS**

The household size cannot exceed the household size limits for the type of units provided at the development as established by local requirements. Saginaw Charter Township has adopted the minimum occupancy requirements of the 2015 International Property Maintenance Code. Based on the bedroom measurements of each unit type (see attached), our maximum occupancy is listed below:

Unit Size	Bedroom Sq.ft.	Minimum Occupancy	Maximum Occupancy
Studio	425 Sq.ft	1	2
1 bedroom	134 sq. ft.	1	3
2 bedroom	141+119	1	5
2 bedroom, 2 bath		1	7

**\*There is only one 2 Bed/2 Bath unit at the property and there is no floorplan.**

**INCOME QUALIFICATIONS**

The total household gross monthly income must be at least three times the monthly rental rate per month to ensure that the applicant(s) have the ability to pay the rent. Co-Signers are allowed for income purposes if an applicant(s) lacks three times the monthly rental rate per month based on gross income. Co-Signers must income qualify on their own based on gross monthly income that is three times the monthly rental rate.

**Housing Choice Vouchers**

This property does accept all housing choice voucher as a source of income as long as the total amount of the voucher covers the rental amount for the unit size the applicant is applying for. All applicants must meet the properties screening requirements as well.

Source of Income does not apply to Housing assistance that is not approved by the appropriate agency within 30 days after the landlord provides all information required as a condition of the agency’s approval, including evidence that all repairs required before occupancy have been completed.

This Property does not sign lease agreements provided by third parties, including those issued by Housing Agencies.

**TRANSFER POLICY**



**Requests from Residents**

Once an applicant has become a resident, a transfer of units may be warranted. There are **studio, one and two bedroom** sizes at this property. All transfer requests must be made in writing and must state the reason for the request. The request will then be forwarded to the property manager/owner for final approval.

The resident-initiated transfers must also qualify under the following:

- Pass a pretransfer inspection.
- Resident has no complaints.
- Resident has paid rent on time for a minimum of twelve months.
- All transfers are required to pay the \$200 administrative fee and income qualify for the new unit. If the request for transfer is within the lease term, there is a required \$500 transfer fee. All fees are due upon lease signing.

**SECURITY DEPOSITS FOR TRANSFERS**

When a resident transfers to a new unit, the owner will transfer the deposit and/or lease term bond from the old unit to the new unit.

**ELLIOTT-LARSEN CIVIL RIGHTS ACT**  
**Act 453 of 1976**

AN ACT to define civil rights; to prohibit discriminatory practices, policies, and customs in the exercise of those rights based upon religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, or marital status; to preserve the confidentiality of records regarding arrest, detention, or other disposition in which a conviction does not result; to prescribe the powers and duties of the civil rights commission and the department of civil rights; to provide remedies and penalties; to provide for fees; and to repeal certain acts and parts of acts.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1977, Act 162, Imd. Eff. Nov. 8, 1977;—Am. 1979, Act 91, Imd. Eff. Aug. 1, 1979;—Am. 1982, Act 45, Eff. Mar. 30, 1983;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 1992, Act 258, Imd. Eff. Dec. 7, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

*The People of the State of Michigan enact:*

ARTICLE 1

**37.2101 Short title.**

Sec. 101. This act shall be known and may be cited as the "Elliott-Larsen civil rights act".

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1977, Act 162, Imd. Eff. Nov. 8, 1977.

**37.2102 Recognition and declaration of civil right; action arising out of discrimination based on sex or familial status.**

Sec. 102. (1) The opportunity to obtain employment, housing and other real estate, and the full and equal utilization of public accommodations, public service, and educational facilities without discrimination because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, familial status, or marital status as prohibited by this act, is recognized and declared to be a civil right.

(2) This section does not prevent an individual from bringing or continuing an action arising out of sex discrimination before July 18, 1980 for a claim based on conduct similar to or identical to harassment.

(3) This section does not prevent an individual from bringing or continuing an action arising out of discrimination based on familial status before June 29, 1992 for a claim based on conduct similar to or identical to discrimination because of the age of anyone residing with the individual bringing or continuing the action.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1979, Act 91, Imd. Eff. Aug. 1, 1979;—Am. 1980, Act 202, Imd. Eff. July 18, 1980;—Am. 1982, Act 45, Eff. Mar. 30, 1983;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

**37.2103 Definitions.**

Sec. 103. As used in this act:

(a) "Age" means chronological age except as otherwise provided by law.

(b) "Commission" means the civil rights commission established by section 29 of article V of the state constitution of 1963.

(c) "Commissioner" means a member of the commission.

(d) "Department" means the department of civil rights or its employees.

(e) "Familial status" means 1 or more individuals under the age of 18 residing with a parent or other person having custody or in the process of securing legal custody of the individual or individuals or residing with the designee of the parent or other person having or securing custody, with the written permission of the parent or other person. For purposes of this definition, "parent" includes an individual who is pregnant.

(f) "Gender identity or expression" means having or being perceived as having a gender-related self-identity or expression whether or not associated with an individual's assigned sex at birth.

(g) "National origin" includes the national origin of an ancestor.

(h) "Person" means an individual, agent, association, corporation, joint apprenticeship committee, joint stock company, labor organization, legal representative, mutual company, partnership, receiver, trust, trustee in bankruptcy, unincorporated organization, this state or a political subdivision of this state or an agency of this state, or any other legal or commercial entity.

(i) "Political subdivision" means a county, city, village, township, school district, or special district or authority of this state.

(j) "Race" is inclusive of traits historically associated with race, including, but not limited to, hair texture

and protective hairstyles. For purposes of this definition, "protective hairstyles" includes, but is not limited to, such hairstyles as braids, locks, and twists.

(k) Discrimination because of sex includes sexual harassment. Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature under the following conditions:

(i) Submission to the conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.

(ii) Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodations or public services, education, or housing.

(iii) The conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment.

(l) "Sexual orientation" means having an orientation for heterosexuality, homosexuality, or bisexuality or having a history of such an orientation or being identified with such an orientation.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1980, Act 202, Imd. Eff. July 18, 1980;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 1999, Act 202, Eff. Mar. 10, 2000;—Am. 2023, Act 6, Eff. Feb 13, 2024;—Am. 2023, Act 45, Imd. Eff. June 15, 2023.

**Compiler's note:** Enacting section 1 of Act 202 of 1999 provides:

"Enacting section 1. This amendatory act is curative and intended to correct any misinterpretation of legislative intent in the court of appeals decision Neal v Department of Corrections, 232 Mich App 730 (1998). This legislation further expresses the original intent of the legislature that an individual serving a sentence of imprisonment in a state or county correctional facility is not within the purview of this act."

## ARTICLE 2

### 37.2201 Definitions.

Sec. 201. As used in this article:

(a) "Employer" means a person that has 1 or more employees, and includes an agent of that person.

(b) "Employment agency" means a person regularly undertaking with or without compensation to procure, refer, recruit, or place an employee for an employer or to procure, refer, recruit, or place for an employer or person the opportunity to work for an employer and includes an agent of that person.

(c) "Labor organization" includes:

(i) An organization of any kind, or an agency or employee representation committee, group, association, or plan, in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment.

(ii) A conference, general committee, joint or system board, or joint council that is subordinate to a national or international labor organization.

(iii) An agent of a labor organization.

(d) "Sex" includes, but is not limited to, pregnancy, childbirth, the termination of a pregnancy, or a related medical condition.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1978, Act 153, Imd. Eff. May 22, 1978;—Am. 1980, Act 202, Imd. Eff. July 18, 1980;—Am. 2023, Act 31, Eff. Feb. 13, 2024.

### 37.2202 Employer; prohibited practices; exceptions.

Sec. 202. (1) An employer shall not do any of the following:

(a) Fail or refuse to hire or recruit, discharge, or otherwise discriminate against an individual with respect to employment, compensation, or a term, condition, or privilege of employment, because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(b) Limit, segregate, or classify an employee or applicant for employment in a way that deprives or tends to deprive the employee or applicant of an employment opportunity or otherwise adversely affects the status of the employee or applicant because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(c) Segregate, classify, or otherwise discriminate against an individual on the basis of sex with respect to a term, condition, or privilege of employment, including, but not limited to, a benefit plan or system.

(d) Treat an individual affected by pregnancy, childbirth, the termination of a pregnancy, or a related medical condition differently for any employment-related purpose from another individual who is not so

affected but similar in ability or inability to work, without regard to the source of any condition affecting the other individual's ability or inability to work.

(2) This section does not prohibit the establishment or implementation of a bona fide retirement policy or system that is not a subterfuge to evade the purposes of this section.

(3) This section does not apply to the employment of an individual by the individual's parent, spouse, or child.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1978, Act 153, Imd. Eff. May 22, 1978;—Am. 1991, Act 11, Eff. May 1, 1991;—Am. 2009, Act 190, Imd. Eff. Dec. 22, 2009;—Am. 2023, Act 6, Eff. Feb. 13, 2024;—Am. 2023, Act 31, Eff. Feb. 13, 2024.

### **37.2202a Designation of racial or ethnic classifications in writing developed by employer; transmission of information to federal agency; "writing" defined.**

Sec. 202a. (1) An employer shall do both of the following if that employer lists racial or ethnic classifications in a writing developed or printed 90 or more days after the effective date of this section, and if that employer requests that an individual select a classification to designate his or her race or ethnicity:

(a) Include in the writing the term "multiracial" as a classification, and a definition of that term that substantially provides that "multiracial" means having parents of different races.

(b) Exclude from the writing the term "other" as a classification.

(2) If a federal agency requires an employer to transmit information obtained from an individual pursuant to a writing described in subsection (1), but rejects the classification "multiracial", the employer shall redesignate the individuals identified as multiracial by allocating those individuals to racial or ethnic classifications approved by the federal agency in the same ratio that those classifications occur within the general population of the group from which the information was solicited.

(3) As used in this section, "writing" means that term as defined in section 2 of the freedom of information act, Act No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Laws.

**History:** Add. 1995, Act 88, Imd. Eff. June 20, 1995.

### **37.2203 Employment agency; prohibited practices generally.**

Sec. 203. An employment agency shall not fail or refuse to procure, refer, recruit, or place for employment, or otherwise discriminate against, an individual because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status; or classify or refer for employment an individual on the basis of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2204 Labor organization; prohibited practices generally.**

Sec. 204. A labor organization shall not do any of the following:

(a) Exclude or expel from membership, or otherwise discriminate against, a member or applicant for membership because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(b) Limit, segregate, or classify membership or applicants for membership, or classify or fail or refuse to refer for employment an individual in a way that would deprive or tend to deprive that individual of an employment opportunity, or that would limit an employment opportunity, or that would adversely affect wages, hours, or employment conditions, or otherwise adversely affect the status of an employee or an applicant for employment, because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(c) Cause or attempt to cause an employer to violate this article.

(d) Fail to fairly and adequately represent a member in a grievance process because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2205 Employer, labor organization, or joint labor-management committee; training programs; prohibited practices.**

Sec. 205. An employer, labor organization, or joint labor-management committee controlling an apprenticeship, on the job, or other training or retraining program, shall not discriminate against an individual because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status, in admission to, or employment or continuation in, a program established to provide apprenticeship on the job, or other training or retraining.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2205a Employer, employment agency, or labor organization; record of information regarding misdemeanor arrest, detention, or disposition; failure to recite or acknowledge information; “law enforcement agency” defined.**

Sec. 205a. (1) An employer, employment agency, or labor organization, other than a law enforcement agency of this state or a political subdivision of this state, shall not in connection with an application for employment or membership, or in connection with the terms, conditions, or privileges of employment or membership request, make, or maintain a record of information regarding a misdemeanor arrest, detention, or disposition where a conviction did not result. A person is not guilty of perjury or otherwise for giving a false statement by failing to recite or acknowledge information the person has a civil right to withhold by this section. This section does not apply to information relative to a felony charge before conviction or dismissal.

(2) As used in this section, "law enforcement agency" includes the state department of corrections.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1978, Act 610, Eff. Mar. 30, 1979;—Am. 1982, Act 45, Eff. Mar. 30, 1983;—Am. 1999, Act 202, Eff. Mar. 10, 2000.

**Compiler's note:** Enacting section 1 of Act 202 of 1999 provides:

“Enacting section 1. This amendatory act is curative and intended to correct any misinterpretation of legislative intent in the court of appeals decision Neal v Department of Corrections, 232 Mich App 730 (1998). This legislation further expresses the original intent of the legislature that an individual serving a sentence of imprisonment in a state or county correctional facility is not within the purview of this act.”

### **37.2205b Repealed. 1982, Act 45, Eff. Mar. 30, 1983.**

**Compiler's note:** The repealed section pertained to announcing availability of polygraph examination.

### **37.2206 Employer, labor organization, or employment agency; prohibited practices.**

Sec. 206. (1) An employer, labor organization, or employment agency shall not print, circulate, post, mail, or otherwise cause to be published a statement, advertisement, notice, or sign relating to employment by the employer, or relating to membership in or a classification or referral for employment by the labor organization, or relating to a classification or referral for employment by the employment agency, that indicates a preference, limitation, specification, or discrimination, based on religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status.

(2) Except as permitted by rules promulgated by the commission or by applicable federal law, an employer or employment agency shall not do any of the following:

(a) Make or use a written or oral inquiry or form of application that elicits or attempts to elicit information concerning the religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status of a prospective employee.

(b) Make or keep a record of information described in subdivision (a) or disclose that information.

(c) Make or use a written or oral inquiry or form of application that expresses a preference, limitation, specification, or discrimination based on religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status of a prospective employee.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

**Administrative rules:** R 37.1 et seq. of the Michigan Administrative Code.

### **37.2207 Individual seeking employment; prohibited practices.**

Sec. 207. An individual seeking employment shall not publish or cause to be published a notice or advertisement that specifies or indicates the individual's religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status, or expresses a preference, specification, limitation, or discrimination as to the religion, race, color, national origin, age, height, weight, sex, sexual orientation, gender identity or expression, or marital status of a prospective employer.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2208 Application for exemption; bona fide occupational qualification.**

Sec. 208. A person subject to this article may apply to the commission for an exemption on the basis that religion, national origin, age, height, weight, or sex is a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise. Upon sufficient showing, the commission may grant an exemption to the appropriate section of this article. An employer may have a bona fide occupational qualification on the basis of religion, national origin, sex, age, or marital status, height and weight without obtaining prior exemption from the commission, provided that an employer who does not obtain an exemption shall have the burden of establishing that the qualification is reasonably necessary to the normal operation of the business.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2209 Covenants.**

Sec. 209. A contract to which this state, a political subdivision, or an agency of this state or of a political subdivision is a party must contain a covenant by the contractor and the contractor's subcontractors not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, sexual orientation, gender identity or expression, height, weight, or marital status. Breach of this covenant may be regarded as a material breach of the contract.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2210 Plan.**

Sec. 210. A person subject to this article may adopt and carry out a plan to eliminate present effects of past discriminatory practices or assure equal opportunity with respect to religion, race, color, national origin, or sex if the plan is filed with the commission under rules of the commission and the commission approves the plan.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

**Administrative rules:** R 37.27 et seq. of the Michigan Administrative Code.

### **37.2211 Different standards of compensation; different terms, conditions, or privileges of employment.**

Sec. 211. Notwithstanding any other provision of this article, it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions or privileges of employment pursuant to a bona fide seniority or merit system.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

## ARTICLE 3

### **37.2301 Definitions.**

Sec. 301. As used in this article:

(a) "Place of public accommodation" means a business, or an educational, refreshment, entertainment, recreation, health, or transportation facility, or institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation also includes the facilities of the following private clubs:

(i) A country club or golf club.

(ii) A boating or yachting club.

(iii) A sports or athletic club.

(iv) A dining club, except a dining club that in good faith limits its membership to the members of a particular religion for the purpose of furthering the teachings or principles of that religion and not for the purpose of excluding individuals of a particular sex, race, or color.

(b) "Public service" means a public facility, department, agency, board, or commission, owned, operated, or managed by or on behalf of this state, a political subdivision, or an agency of this state or of a political subdivision or a tax exempt private agency established to provide service to the public, except that public service does not include a state or county correctional facility with respect to actions and decisions regarding an individual serving a sentence of imprisonment.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 70, Imd. Eff. May 29, 1992;—Am. 1999, Act 202, Eff. Mar. 10, 2000;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

**Compiler's note:** Enacting section 1 of Act 202 of 1999 provides:

"Enacting section 1. This amendatory act is curative and intended to correct any misinterpretation of legislative intent in the court of appeals decision *Neal v Department of Corrections*, 232 Mich App 730 (1998). This legislation further expresses the original intent of the legislature that an individual serving a sentence of imprisonment in a state or county correctional facility is not within the purview of this act."

**Constitutionality:** In *Doe v Dep't of Corrections*, 504 Mich 883 (2019), the Michigan Supreme Court denied the application for leave to appeal the March 27, 2018 judgment in *Doe v Dep't of Corrections*, 323 Mich App 479, that held that section 301(b) as amended by Act 202 of 1999 to effectively bar correctional-facility prisoners from bringing ELCRA suits is in direct violation of article I, section 2 of the state constitution of 1963.

### **37.2302 Public accommodations or services; prohibited practices.**

Sec. 302. Except where permitted by law, a person shall not do any of the following:

(a) Deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status.

(b) Print, circulate, post, mail, or otherwise cause to be published a statement, advertisement, notice, or sign that indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation or public service will be refused, withheld from, or denied an individual because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status, or that an individual's patronage of or presence at a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

**Constitutionality:** The goal of the Civil Rights Act was to broaden the scope of equal protection rather than the standard of equal protection developed by the courts in the course of interpreting the equal protection provisions of United States and Michigan Constitutions. *Civil Rights Department v Waterford*, 425 Mich 173; 387 NW2d 821 (1986).

### **37.2302a Applicability to private club.**

Sec. 302a. (1) This section applies to a private club that is defined as a place of public accommodation under section 301(a).

(2) If a private club allows use of its facilities by 1 or more adults per membership, the use must be equally available to all adults entitled to use the facilities under the membership. All classes of membership must be available without regard to race, color, sex, sexual orientation, gender identity or expression, religion, marital status, or national origin. Memberships that permit use during restricted times may be allowed only if the restricted times apply to all adults using that membership.

(3) A private club that has food or beverage facilities or services shall allow equal access to those facilities and services for all adults in all membership categories at all times. This subsection does not require service or access to facilities to persons that would violate any law or ordinance regarding sale, consumption, or regulation of alcoholic beverages.

(4) This section does not prohibit a private club from sponsoring or permitting sports schools or leagues for children less than 18 years of age that are limited by age or to members of 1 sex, if comparable and equally convenient access to the club's facilities is made available to both sexes and if these activities are not used as a subterfuge to evade the purposes of this article.

**History:** Add. 1992, Act 70, Imd. Eff. May 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2303 Exemptions.**

Sec. 303. This article shall not apply to a private club, or other establishment not in fact open to the public, except to the extent that the goods, services, facilities, privileges, advantages, or accommodations of the private club or establishment are made available to the customers or patrons of another establishment that is a place of public accommodation or is licensed by the state under Act No. 8 of the Public Acts of the Extra Session of 1933, being sections 436.1 through 436.58 of the Michigan Compiled Laws. This section shall not apply to a private club that is otherwise defined as a place of public accommodation in this article.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 70, Imd. Eff. May 29, 1992.

### **37.2304 Violation.**

Sec. 304. Within 30 days after a determination by the commission that a place of public accommodation that holds a license issued by the liquor control commission under the Michigan liquor control act, Act No. 8 of the Public Acts of the Extra Session of 1933, being sections 436.1 to 436.58 of the Michigan Compiled Laws, has violated this article, the commission shall certify that determination to and shall file a complaint alleging a violation of Act No. 8 of the Public Acts of the Extra Session of 1933 with the liquor control commission.

**History:** Add. 1992, Act 70, Imd. Eff. May 29, 1992.

## **ARTICLE 4**

### **37.2401 Definition.**

Sec. 401. As used in this article, "educational institution" means a public or private institution, or a separate school or department thereof, and includes an academy, college, elementary or secondary school, extension course, kindergarten, nursery, local school system, university, or a business, nursing, professional, secretarial, technical, or vocational school; and includes an agent of an educational institution.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2402 Educational institution; prohibited practices.**

Sec. 402. An educational institution shall not do any of the following:

(a) Discriminate against an individual in the full utilization of or benefit from the institution, or the services, activities, or programs provided by the institution because of religion, race, color, national origin, sex, sexual orientation, or gender identity or expression.

(b) Exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student or an individual enrolled as a student in the terms, conditions, or privileges of the institution, because of religion, race, color, national origin, sex, sexual orientation, or gender identity or expression.

(c) For purposes of admission only, make or use a written or oral inquiry or form of application that elicits or attempts to elicit information concerning the religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, or marital status of an individual, except as permitted by rule of the commission or as required by federal law, rule, or regulation, or pursuant to an affirmative action program.

(d) Print or publish or cause to be printed or published a catalog, notice, or advertisement indicating a preference, limitation, specification, or discrimination based on the religion, race, color, national origin, sex, sexual orientation, or gender identity or expression, of an applicant for admission to the educational institution.

(e) Announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members because of religion, race, color, national origin, sex, sexual orientation, or gender identity or expression.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1982, Act 512, Eff. Mar. 30, 1983;—Am. 1993, Act 216, Imd. Eff. Oct. 29, 1993;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

**Administrative rules:** R 37.1 et seq. of the Michigan Administrative Code.

### **37.2402a Designation of racial or ethnic classification in writing developed by educational institution; transmission of information to federal agency; "writing" defined.**

Sec. 402a. (1) An educational institution shall do both of the following if that educational institution lists racial or ethnic classifications in a writing developed or printed 90 or more days after the effective date of this section, and if that educational institution requests that an individual select 1 of those classifications to designate his or her race or ethnicity:

(a) Include in the writing the term "multiracial" as a classification, and a definition of that term that substantially provides that "multiracial" means having parents of different races.

(b) Exclude from the writing the term "other" as a classification.

(2) If a federal agency requires an educational institution to transmit information obtained from an individual pursuant to a writing described in subsection (1), but rejects the classification "multiracial", the educational institution shall redesignate the individuals identified as multiracial by allocating those individuals to racial or ethnic classifications approved by the federal agency in the same ratio that those classifications occur within the general population of the group from which the information was solicited.

(3) As used in this section, "writing" means that term as defined in section 2 of the freedom of information act, Act No. 442 of the Public Acts of 1976, being section 15.232 of the Michigan Compiled Laws.

**History:** Add. 1995, Act 88, Imd. Eff. June 20, 1995.

### **37.2403 Religious educational institution; exemption.**

Sec. 403. The provisions of section 402 related to religion shall not apply to a religious educational institution or an educational institution operated, supervised, or controlled by a religious institution or organization which limits admission or gives preference to an applicant of the same religion.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2404 Private educational institution; exemption.**

Sec. 404. The provisions of section 402 relating to sex shall not apply to a private educational institution not exempt under section 403, which now or hereafter provides an education to persons of 1 sex.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2404a Single-gender school, class, or program; definitions.**

Sec. 404a. (1) This article does not prohibit the board of a school district or intermediate school district or the board of directors of a public school academy from establishing and maintaining a single-gender school, class, or program within a school as provided under sections 475 and 1146 of the revised school code, 1976 PA 451, MCL 380.475 and 380.1146.

(2) As used in this section, "school district", "intermediate school district", and "public school academy"



mean those terms as defined in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852.

**History:** Add. 2006, Act 348, Imd. Eff. Sept. 1, 2006.

## ARTICLE 5

### 37.2501 Definitions.

Sec. 501. As used in this article:

(a) "Real property" includes a building, structure, mobile home, real estate, land, mobile home park, trailer park, tenement, leasehold, or an interest in a real estate cooperative or condominium.

(b) "Real estate transaction" means the sale, exchange, rental, or lease of real property, or an interest in real property.

(c) "Housing accommodation" includes improved or unimproved real property, or a part of improved or unimproved real property, that 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.

(d) "Real estate broker or salesperson" 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; who negotiates or attempts to negotiate any of those activities; who holds oneself out as engaged in those activities; who negotiates or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon real property; who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of a real estate broker or salesperson.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

\*\*\*\*\* 37.2502 THIS SECTION IS AMENDED EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE: See 37.2502.amended \*\*\*\*\*

### 37.2502 Persons engaging in real estate transactions, real estate brokers, or real estate salesperson; prohibited practices; section subject to MCL 37.2503.

Sec. 502. (1) A person engaging in a real estate transaction, or a real estate broker or salesperson, shall not on the basis of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status of an individual or anyone residing with that individual do any of the following:

(a) Refuse to engage in a real estate transaction with a person.

(b) Discriminate against a person in the terms, conditions, or privileges of a real estate transaction or in the furnishing of facilities or services in connection with a real estate transaction.

(c) Refuse to receive from a person or transmit to a person a bona fide offer to engage in a real estate transaction.

(d) Refuse to negotiate for a real estate transaction with a person.

(e) Represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or knowingly fail to bring a property listing to a person's attention, or refuse to permit a person to inspect real property, or otherwise make unavailable or deny real property to a person.

(f) Make, print, circulate, post, mail, or otherwise cause to be made or published a statement, advertisement, notice, or sign, or use a form of application for a real estate transaction, or make a record of inquiry in connection with a prospective real estate transaction, that indicates, directly or indirectly, an intent to make a preference, limitation, specification, or discrimination with respect to the real estate transaction.

(g) Offer, solicit, accept, use, or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection with that transaction.

(h) Discriminate against a person in the brokering or appraising of real property.

(2) A person shall not deny a person access to, or membership or participation in, a multiple listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting real property or discriminate against the person in the terms or conditions of that access, membership, or participation because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status.

(3) This section is subject to section 503.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

\*\*\*\*\* 37.2502.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE 2024 REGULAR SESSION SINE DIE \*\*\*\*\*

**37.2502.amended Persons engaging in real estate transactions, real estate brokers, or real estate salesperson; prohibited practices; prohibition on use of source of income by landlord; section subject to MCL 37.2503.**

Sec. 502. (1) A person engaging in a real estate transaction, or a real estate broker or salesperson, shall not on the basis of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status of an individual or anyone residing with that individual do any of the following:

- (a) Refuse to engage in a real estate transaction with a person.
  - (b) Discriminate against a person in the terms, conditions, or privileges of a real estate transaction or in the furnishing of facilities or services in connection with a real estate transaction.
  - (c) Refuse to receive from a person or transmit to a person a bona fide offer to engage in a real estate transaction.
  - (d) Refuse to negotiate for a real estate transaction with a person.
  - (e) Represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or knowingly fail to bring a property listing to a person's attention, or refuse to permit a person to inspect real property, or otherwise make unavailable or deny real property to a person.
  - (f) Make, print, circulate, post, mail, or otherwise cause to be made or published a statement, advertisement, notice, or sign, or use a form of application for a real estate transaction, or make a record of inquiry in connection with a prospective real estate transaction, that indicates, directly or indirectly, an intent to make a preference, limitation, specification, or discrimination with respect to the real estate transaction.
  - (g) Offer, solicit, accept, use, or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection with that transaction.
  - (h) Discriminate against a person in the brokering or appraising of real property.
- (2) A person shall not deny a person access to, or membership or participation in, a multiple listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting real property or discriminate against the person in the terms or conditions of that access, membership, or participation because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status.
- (3) A person that is a landlord of a rental unit shall not, based on the source of income of an otherwise eligible prospective or current tenant, do any of the following:
- (a) Deny or terminate a tenancy to the prospective or current tenant.
  - (b) Make any distinction, discrimination, or restriction against the prospective or current tenant in the price, terms, conditions, fees, or privileges relating to the rental, lease, or occupancy of a rental unit or in the furnishing of any facilities or services in connection with the rental, lease, or occupancy of the rental unit.
  - (c) Otherwise make unavailable or deny any rental unit to the prospective or current tenant if the prospective or current tenant would be eligible to rent the rental unit but for the individual's source of income.
  - (d) Represent to the prospective tenant that a rental unit is not available for inspection, rental, or lease when in fact it is so available, or knowingly fail to bring a rental listing to the prospective tenant's attention, or refuse to permit the prospective tenant to inspect a rental unit.
  - (e) Make any distinction, discrimination, or restriction against the prospective or current tenant in the price, terms, conditions, fees, or privileges relating to the rental, lease, or occupancy of any rental unit on the basis of the prospective or current tenant's use of emergency rental assistance.
  - (f) If the person is a landlord that requires a prospective or current tenant to have a certain threshold level of income, exclude any source of income in the form of a rent voucher or subsidy when calculating whether the income criteria have been met. This subdivision does not apply to emergency rental assistance.
  - (g) Attempt to discourage the rental or lease of any rental unit to the prospective or current tenant.
  - (h) Publish, circulate, display, or cause to be published, circulated, or displayed any communication, notice, advertisement, or sign of any kind relating to the rental or lease of any rental unit that indicates a preference, limitation, or requirement based on any source of income.
  - (i) Assist, induce, incite, or coerce another person to commit an act or engage in a practice that violates this subsection.
  - (j) Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of the person having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected under this subsection.

(4) Subsection (3) does not apply to a person if the person, including all related entities to that person, is a landlord of fewer than 5 rental units in this state. As used in this subsection:

(a) "Person" means an individual, partnership, corporation, association, limited liability company, or any other legal entity.

(b) "Related entity" means a person that, directly or indirectly, controls, is controlled by, or is under common control with another person.

(5) This section is subject to section 503.

(6) As used in this section, "landlord", "tenant", and "rental unit" mean those terms as defined in section 1 of 1972 PA 348, MCL 554.601.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024;—Am. 2024, Act 180, Eff. (pending).

### **37.2503 Nonapplicability of MCL 37.2502; "immediate family" defined; information relative to marital status.**

Sec. 503. (1) Section 502 does not apply to any of the following:

(a) The rental of a housing accommodation in a building that contains housing accommodations for not more than 2 families living independently of each other if the owner or a member of the owner's immediate family resides in 1 of the housing accommodations, or to the rental of a room or rooms in a single family dwelling by a person if the lessor or a member of the lessor's immediate family resides in the dwelling.

(b) The rental of a housing accommodation for not more than 12 months by the owner or lessor if it was occupied by him or her and maintained as his or her home for at least 3 months immediately preceding occupancy by the tenant and is maintained as the owner's or lessor's legal residence.

(c) With respect to the age provision and the familial status provision only, the sale, rental, or lease of housing accommodations meeting the requirements of federal, state, or local housing programs for senior citizens, or accommodations otherwise intended, advertised, designed or operated, bona fide, for the purpose of providing housing accommodations for persons 50 years of age or older.

(2) As used in subsection (1), "immediate family" means a spouse, parent, child, or sibling.

(3) Information relative to the marital status of an individual may be obtained when necessary for the preparation of a deed or other instrument of conveyance.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992.

### **37.2504 Application for financial assistance or financing; prohibited practices; nonapplicability of MCL 37.2504(1)(b).**

Sec. 504. (1) A person to whom application is made for financial assistance or financing in connection with a real estate transaction or in connection with the construction, rehabilitation, repair, maintenance, or improvement of real property, or a representative of that person, shall not do any of the following:

(a) Discriminate against the applicant because of the religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status of the applicant or an individual residing with the applicant.

(b) Use a form of application for financial assistance or financing or make or keep a record or inquiry in connection with an application for financial assistance or financing that indicates, directly or indirectly, a preference, limitation, specification, or discrimination as to the religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status of the applicant or an individual residing with the applicant.

(2) A person whose business includes engaging in real estate transactions shall not discriminate against a person because of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status, in purchasing loans for acquiring, constructing, improving, repairing, or maintaining a dwelling or in making or purchasing loans or providing other financial assistance secured by residential real estate.

(3) Subsection (1)(b) does not apply to a form of application for financial assistance prescribed for the use of a lender regulated as a mortgagee under the national housing act, 12 USC 1701 to 1750g, or by a regulatory board or officer acting under the statutory authority of this state or the United States.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2505 Condition, restriction, or prohibition limiting use or occupancy of real property; exceptions; inserting or honoring void provision.**

Sec. 505. (1) A condition, restriction, or prohibition, including a right of entry or possibility of reverter, that directly or indirectly limits the use or occupancy of real property on the basis of religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status is void, except a limitation of use as provided in section 503(1)(c) or on the basis of religion relating to real

property held by a religious institution or organization, or by a religious or charitable organization operated, supervised, or controlled by a religious institution or organization, and used for religious or charitable purposes.

(2) A person shall not insert in a written instrument relating to real property a provision that is void under this section or honor such a provision in the chain of title.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1980, Act 170, Imd. Eff. June 18, 1980;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2506 Real estate transactions; prohibited representations.**

Sec. 506. A person shall not represent, for the purpose of inducing a real estate transaction from which the person may benefit financially, that a change has occurred or will or may occur in the composition with respect to religion, race, color, national origin, age, sex, sexual orientation, gender identity or expression, familial status, or marital status of the owners or occupants in the block, neighborhood, or area in which the real property is located, or represent that this change will or may result in the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools in the block, neighborhood, or area in which the real property is located.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992;—Am. 2023, Act 6, Eff. Feb. 13, 2024.

### **37.2506a Use by landlord of reasonable accommodations.**

Sec. 506a. This article does not preclude the use by a landlord of reasonable accommodations as required by section 102(2) of the Michigan handicappers' civil rights act, Act No. 220 of the Public Acts of 1976, being section 37.1102 of the Michigan Compiled Laws.

**History:** Add. 1992, Act 124, Imd. Eff. June 29, 1992.

### **37.2507 Plan.**

Sec. 507. A person subject to this article may adopt and carry out a plan to eliminate present effects of past discriminatory practices or assure equal opportunity with respect to religion, race, color, national origin, or sex if the plan is filed with the commission under rules of the commission and the commission approves the plan.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

**Administrative rules:** R 37.27 et seq. of the Michigan Administrative Code.

## ARTICLE 6

### **37.2601 Commission; powers and duties generally; quorum; vacancy; compensation and expenses; conducting business at public meeting; notice; availability of certain writings to public.**

Sec. 601. (1) The commission shall:

(a) Maintain a principal office in the city of Lansing and other offices within the state as it considers necessary.

(b) Meet and exercise its powers at any place within the state.

(c) Appoint an executive director who shall be the chief executive officer of the department and exempt from civil service, and appoint necessary hearing examiners.

(d) Accept public grants, private gifts, bequests, or other amounts or payments.

(e) Prepare annually a comprehensive written report to the governor. The report may contain recommendations adopted by the commission for legislative or other action necessary to effectuate the purposes and policies of this act.

(f) Promulgate, amend, or repeal rules to carry out this act pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws.

(g) Request the services of a department or agency of the state or a political subdivision of the state.

(h) Promote and cooperate with a public or governmental agency as in the commission's judgment will aid in effectuating the act and the state constitution of 1963.

(i) Establish and promulgate rules governing its relationship with local commissions, and establish criteria for certifying local commissions for the deferring of complaints.

(2) The commission may hold hearings, administer oaths, issue preliminary notices to witnesses to appear, compel through court authorization the attendance of witnesses and the production for examination of books, papers, or other records relating to matters before the commission, take the testimony of a person under oath, and issue appropriate orders. The commission may promulgate rules as to the issuance of preliminary notices

to appear.

(3) A majority of the members of the commission constitutes a quorum. A majority of the members is required to take action on matters not of a ministerial nature, but a majority of a quorum may deal with ministerial matters. A vacancy in the commission shall not impair the right of the remaining members to exercise the powers of the commission. The members of the commission shall receive a per diem compensation and shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties. The per diem compensation of the commission and the schedule for reimbursement of the expenses shall be established annually by the legislature.

(4) The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(5) A writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1978, Act 446, Imd. Eff. Oct. 11, 1978.

**Administrative rules:** R 37.1 et seq. and R 37.101 of the Michigan Administrative Code.

### **37.2602 Department; powers and duties generally.**

Sec. 602. The department shall:

(a) Be responsible to the executive director, who shall be the principal executive officer of the department and shall be responsible for executing the policies of the commission.

(b) Appoint necessary employees and agents and fix their compensation in accordance with civil service rules. The attorney general shall appear for and represent the department or the commission in a court having jurisdiction of a matter under this act.

(c) Receive, initiate, investigate, conciliate, adjust, dispose of, issue charges, and hold hearings on complaints alleging a violation of this act, and approve or disapprove plans to correct past discriminatory practices which have caused or resulted in a denial of equal opportunity with respect to groups or persons protected by this act.

(d) Require answers to interrogatories, order the submission of books, papers, records, and other materials pertinent to a complaint, and require the attendance of witnesses, administer oaths, take testimony, and compel, through court authorization, compliance with its orders or an order of the commission.

(e) Cooperate or contract with persons and state, local, and other agencies, both public and private, including agencies of the federal government and of other states.

(f) Monitor the awarding and execution of contracts to ensure compliance by a contractor or a subcontractor with a covenant entered into or to be entered into pursuant to section 209.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 258, Imd. Eff. Dec. 7, 1992.

### **37.2602a Repealed. 1992, Act 258, Eff. Dec. 8, 1994.**

**Compiler's note:** The repealed section pertained to business conducted with the state or an agency, requests for review of equal employment opportunity practices, and creation of civil rights contract monitoring fund.

### **37.2603 Complaint; petition for temporary relief or restraining order; notice of pendency of action.**

Sec. 603. At any time after a complaint is filed, the department may file a petition in the circuit court for the county in which the subject of the complaint occurs, or for the county in which a respondent resides or transacts business, seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this section, including an order or decree restraining the respondent from doing or procuring an act tending to render ineffectual an order the commission may enter with respect to the complaint. If the complaint alleges a violation of article 5, upon the filing of the petition the department shall file for the record a notice of pendency of the action. The court may grant temporary relief or a restraining order as it deems just and proper, but the relief or order shall not extend beyond 5 days except by consent of the respondent, or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2604 Findings of fact and conclusions of law; final order dismissing complaint; copies of order.**

Sec. 604. If the commission, after a hearing on a charge issued by the department, determines that the respondent has not engaged in a discriminatory practice prohibited by this act, the commission shall state its findings of fact and conclusions of law and shall issue a final order dismissing the complaint. The commission shall furnish a copy of the order to the claimant, the respondent, the attorney general, and other public officers and persons as the commission deems proper.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

**37.2605 Findings of fact and conclusions of law; cease and desist order; amendment of pleadings; findings and order based thereon; copies of order; scope of action ordered; certification of violation to licensing or contracting agency.**

Sec. 605. (1) If the commission, after a hearing on a charge issued by the department, determines that the respondent has violated this act or the handicappers' civil rights act, Act No. 220 of the Public Acts of 1976, being sections 37.1101 to 37.1607 of the Michigan Compiled Laws, the commission shall state its findings of fact and conclusions of law and shall issue a final order requiring the respondent to cease and desist from the discriminatory practice and to take such other action as it deems necessary to secure equal enjoyment and protection of civil rights. If at a hearing on a charge, a pattern or practice of discrimination prohibited by this act or Act No. 220 of the Public Acts of 1976 appears in the evidence, the commission may, upon its own motion or on motion of the claimant, amend the pleadings to conform to the proofs, make findings, and issue an order based on those findings. A copy of the order shall be delivered to the respondent, the claimant, the attorney general, and to other public officers and persons as the commission deems proper.

(2) Action ordered under this section may include, but is not limited to:

(a) Hiring, reinstatement, or upgrading of employees with or without back pay.

(b) Admission or restoration of individuals to labor organization membership, admission to or participation in a guidance program, apprenticeship training program, on the job training program, or other occupational training or retraining program, with the utilization of objective criteria in the admission of persons to those programs.

(c) Admission of persons to a public accommodation or an educational institution.

(d) Sale, exchange, lease, rental, assignment, or sublease of real property to a person.

(e) Extension to all persons of the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the respondent.

(f) Reporting as to the manner of compliance.

(g) Requiring the posting of notices in a conspicuous place which the commission may publish or cause to be published setting forth requirements for compliance with civil rights law or other relevant information which the commission determines necessary to explain those laws.

(h) Payment to an injured party of profits obtained by the respondent through a violation of section 506 of this act or of Act No. 220 of the Public Acts of 1976.

(i) Payment to the complainant of damages for an injury or loss caused by a violation of this act, including a reasonable attorney's fee.

(j) Payment to the complainant of all or a portion of the costs of maintaining the action before the commission, including reasonable attorney fees and expert witness fees, if the commission determines that award to be appropriate.

(k) Payment of a civil fine for a violation of article 5 of this act, an amount directly related to the cost to the state for enforcing this statute not to exceed:

(i) \$10,000.00 for the first violation.

(ii) \$25,000.00 for the second violation within a 5-year period.

(iii) \$50,000.00 for 2 or more violations within a 7-year period.

(l) Other relief the commission deems appropriate.

(3) In the case of a respondent operating by virtue of a license issued by the state, a political subdivision, or an agency of the state or political subdivision, if the commission, upon notice and hearing, determines that the respondent has violated this act and that the violation was authorized, requested, commanded, performed, or knowingly permitted by the board of directors of the respondent or by an officer or executive agent acting within the scope of his or her employment, the commission shall so certify to the licensing agency. Unless the commission's finding is reversed in the course of judicial review, the finding of the commission may be grounds for revocation of the respondent's license.

(4) In the case of a respondent who violates this act in the course of performing under a contract or subcontract with the state, a political subdivision, or an agency of the state or political subdivision, where the violation was authorized, requested, commanded, performed, or knowingly permitted by the board of directors of the respondent or by an officer or executive agent acting within the scope of his or her

employment, the commission shall so certify to the contracting agency. Unless the commission's finding is reversed in the course of judicial review, the finding is binding on the contracting agency.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992.

### **37.2606 Appeals.**

Sec. 606. (1) A complainant and a respondent shall have a right of appeal from a final order of the commission, including cease and desist orders and refusals to issue charges, before the circuit court for the county of Ingham, or the circuit court for the county in which the alleged violation occurred or where the person against whom the complaint is filed, resides, or has his or her principal place of business. An appeal before the circuit court shall be reviewed de novo. If an appeal is not taken within 30 days after the service of an appealable order of the commission, the commission may obtain a decree for the enforcement of the order from the circuit court which has jurisdiction of the appeal. If the appellant files for appeal in the circuit court for the county of Ingham, the appellee, upon application, shall be granted a change of venue to hear the matter on appeal in the circuit court for the county in which the alleged violation occurred or where the person against whom the complaint is filed, resides, or has his or her principal place of business or where the claimant resides.

(2) A proceeding for review or enforcement of an appealable order is initiated by filing a petition in the circuit court. Copies of the petition shall be served upon the parties of record. Within 30 days after the service of the petition upon the commission or filing of the petition by the commission, or within further time as the court may allow, the commission shall transmit to the court the original or a certified copy of the entire record upon which the order is based, including a transcript of the testimony, which need not be printed. By stipulation of the parties to the review proceeding, the record may be shortened. The court may grant temporary relief as it considers just, or enter an order enforcing, modifying and enforcing as modified, or setting aside in whole or in part the order of the commission, or may remand the case to the commission for further proceedings. The commission's copy of the testimony shall be available at reasonable times to all parties for examination without cost.

(3) The final judgment or decree of the circuit court shall be subject to review by appeal in the same manner and form as other appeals from that court.

(4) A proceeding under this section shall be initiated not more than 30 days after a copy of the order of the commission is received, unless the commission is the petitioner or the petition is filed under subsection (3). If a proceeding is not so initiated, the commission may obtain a court order for enforcement of its order upon showing that a copy of the petition for enforcement was served on the respondent, that the respondent is subject to the jurisdiction of the court, that the order sought to be enforced is an order of the commission, regularly entered, and that the commission has jurisdiction over the subject matter and the respondent.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1980, Act 93, Imd. Eff. Apr. 16, 1980.

## ARTICLE 7

### **37.2701 Prohibited conduct.**

Sec. 701. Two or more persons shall not conspire to, or a person shall not:

(a) Retaliate or discriminate against a person because the person has opposed a violation of this act, or because the person has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this act.

(b) Aid, abet, incite, compel, or coerce a person to engage in a violation of this act.

(c) Attempt directly or indirectly to commit an act prohibited by this act.

(d) Willfully interfere with the performance of a duty or the exercise of a power by the commission or 1 of its members or authorized representatives.

(e) Willfully obstruct or prevent a person from complying with this act or an order issued or rule promulgated under this act.

(f) Coerce, intimidate, threaten, or interfere with a person in the exercise or enjoyment of, or on account of his or her having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this act.

**History:** 1976, Act 453, Eff. Mar. 31, 1977;—Am. 1992, Act 124, Imd. Eff. June 29, 1992.

**Administrative rules:** R 37.1 et seq. of the Michigan Administrative Code.

### **37.2702 Violation of order prohibited.**

Sec. 702. A person shall not violate the terms of an order or an adjustment order made under this act.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2703 Revocation or suspension of license.**

Sec. 703. If a certification is made pursuant to section 605(3), the licensing agency may take appropriate action to revoke or suspend the license of the respondent.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2704 Termination of contract.**

Sec. 704. Upon receiving a certification made under section 605(4), a contracting agency shall take appropriate action to terminate a contract or portion thereof previously entered into with the respondent, either absolutely or on condition that the respondent carry out a program of compliance with this act, and shall advise the state and all political subdivisions and agencies thereof to refrain from entering into further contracts or extensions or other modifications of existing contracts with the respondent until the commission is satisfied that the respondent carries out policies in compliance with this act.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2705 Construction of act.**

Sec. 705. (1) This act shall not be construed as preventing the commission from securing civil rights guaranteed by law other than the civil rights set forth in this act.

(2) This act shall not be interpreted as restricting the implementation of approved plans, programs, or services to eliminate discrimination and the effects thereof when appropriate.

(3) This act shall not be interpreted as invalidating any other act that provides programs or services for persons covered by this act.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

## ARTICLE 8

### **37.2801 Action for injunctive relief or damages; venue; "damages" defined.**

Sec. 801. (1) A person alleging a violation of this act may bring a civil action for appropriate injunctive relief or damages, or both.

(2) An action commenced pursuant to subsection (1) may be brought in the circuit court for the county where the alleged violation occurred, or for the county where the person against whom the civil complaint is filed resides or has his principal place of business.

(3) As used in subsection (1), "damages" means damages for injury or loss caused by each violation of this act, including reasonable attorney's fees.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2802 Costs of litigation.**

Sec. 802. A court, in rendering a judgment in an action brought pursuant to this article, may award all or a portion of the costs of litigation, including reasonable attorney fees and witness fees, to the complainant in the action if the court determines that the award is appropriate.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2803 Legal or equitable remedies.**

Sec. 803. This act shall not be construed to diminish the right of a person to direct or immediate legal or equitable remedies in the courts of the state.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.

### **37.2804 Repeal of MCL 423.301 to 423.311, 37.1 to 37.9, and 564.101 to 564.704.**

Sec. 804. Act No. 251 of the Public Acts of 1955, as amended, being sections 423.301 to 423.311 of the Compiled Laws of 1970, Act No. 45 of the Public Acts of the Second Extra Session of 1963, as amended, being sections 37.1 to 37.9 of the Compiled Laws of 1970, and Act No. 112 of the Public Acts of 1968, as amended, being sections 564.101 to 564.704 of the Compiled Laws of 1970, are repealed.

**History:** 1976, Act 453, Eff. Mar. 31, 1977.



## Acceptable Identity and Citizenship Documents – 3 pages

### PRIMARY DOCUMENTATION OF CITIZENSHIP AND IDENTITY

Primary evidence of citizenship and identity is documentary evidence of the highest reliability. Obtain primary evidence of citizenship and identity before using secondary evidence. Applicants or recipients born outside the U.S. who were not citizens at birth must submit a primary document as evidence of citizenship.

PRIMARY DOCUMENTS --verifies both citizenship and Identity	EXPLANATION
U.S. Passport	U.S. Passport does not have to be currently valid to be accepted, as long as it was originally issued without limitations. Do not accept any U.S. Passport as verification of citizenship if it was issued with limitations; it may, however, be used as proof of identity. Through 1980, spouses and children were sometimes included on one passport. Citizenship and identity of all included persons can be established.
Certificate of Naturalization (Form N-550 or N-570)	Issued by Department of Homeland Security (via USCIS)
Certificate of Citizenship (Form N-560 or N-561)	Issued by Department of Homeland Security (via USCIS) for individuals who derive citizenship through a parent
* Tribal Documents	Issued by federally recognized Indian Tribe evidencing membership, enrollment in, or affiliation with such Tribe. Document must identify the federally recognized Indian Tribe that issued it, identify the individual by name and confirm the individual's membership, enrollment in or affiliation with the Tribe. Examples include, but are not limited to: enrollment/membership card, certificate of degree of Indian blood issued by BIA, Tribal census document or document issued by the Tribe indicating the individual's affiliation with the Tribe.

### SECONDARY DOCUMENTATION OF CITIZENSHIP ONLY

Secondary documents can be used when primary evidence of citizenship is not available. Applicants or recipients born outside the U.S. must submit a primary document as evidence of citizenship. **Additional documentation is required to prove identity.**

SECONDARY DOCUMENTS -- verifies citizenship only	EXPLANATION
A U.S. public birth record showing birth in: * Any of the 50 U.S. States * District of Columbia * American Samoa * Swain's Island * Puerto Rico ( <b>if born on or after January 13, 1941</b> ) * Virgin Islands ( <b>if born on or after January 17, 1917</b> ) * Northern Mariana Islands ( <b>if born after November 4, 1986</b> ) * Guam ( <b>if born on or after April 10, 1899</b> )	The document must be issued by the State, territory or local jurisdiction and have been issued before the person turned five years old. If the birth record document was amended after the individual was age five, it is considered fourth level evidence of citizenship.

<b>SECONDARY DOCUMENTS -- verifies citizenship only</b>	<b>EXPLANATION</b>
<b>SECONDARY DOCUMENTS -- verifies citizenship only – continued</b>	<b>EXPLANATION - continued</b>
Certification of Report of Birth Abroad (Form DS-1350)	Issued by Department of State (Washington D.C.) to citizens born outside the U.S. who acquired citizenship at birth
Consular Report of Birth Abroad of a Citizen of the United States of American (Form FS-240)	Issued by Department of State consular office. Children born outside the U.S. to U.S. military personnel usually have this documentation
Certification of Birth Abroad (Form FS-545)	Issued by Department of State consulate prior to November 1, 1990.
United States Citizen Identification Card (I-197) or prior version (I-179)	The former INS issued I-179 from 1960 until 1973. I-197 issued from 1973 until April 7, 1983. Neither form is currently issued, but both are still valid evidence of citizenship.
American Indian Card (I-872)	Must be issued by Department of Homeland Security and have classification of 'KIC" – Texas Band of Kickapoo's living near the U.S./Mexican boarder
Northern Mariana Card (I-873)	The former INS issued I-873 to collectively naturalized U.S. citizens born in the Northern Mariana Islands before November 4, 1986. The card is no longer issued, but is still valid evidence of citizenship
Final Adoption Decree	Decree must show the child's name and a U.S. place of birth. If adoption is not finalized and child's birth state will not release a birth certificate prior to final adoption, a statement from a state approved adoption agency that shows the child's name and U.S. place of birth is acceptable. Adoption agency must state that the source of birth place information is from the child's original birth certificate.
Evidence of U.S. Government Civil Service Employment	Must show employment by the U.S. government prior to June 1, 1976.
Official Military Record of Service	Document must show a U.S. place of birth. Can use a DD-214 or similar official document showing a U.S. place of birth.
Child. Citizenship Act of 2000	Evidence of meeting automatic criteria of U.S. citizenship as outlined in this Act.

**THIRD LEVEL DOCUMENTATION OF CITIZENSHIP ONLY**

Third level documents can be used when primary or secondary evidence of citizenship is not available. Additional documentation is required to prove identity. Third level evidence is generally a non-government document showing a U.S. place of birth. The place of birth on the non-government document and the application must agree.

<b>THIRD LEVEL DOCUMENTS -- verifies citizenship only</b>	<b>EXPLANATION</b>
Extract of hospital record on hospital letterhead.	Must be established at time of person's birth and be created at least five years before initial application date and indicate a U.S. place of birth. For children under age 16, the document must have been created near the time of birth OR five years before the application. <b>DO NOT ACCEPT SOUVENIR BIRTH CERTIFICATE ISSUED BY THE HOSPITAL.</b> All hospital-issued birth certificates are considered to be souvenirs.
Life, health or other insurance record	Must show a U.S. place of birth and have been created at least five years before the initial application date.
Religious Records	Must be recorded in the U.S. within three months of birth and show a U.S. place of birth. Must show either the date or individual's age at the time the record was made. The record must be 'official' and recorded with the religious organization. (Entries in a family bible are NOT considered religious records)
Early School Records	Must show a U.S. place of birth. The record must also show the child's name, date of admission to the school, date of birth, and the name(s) and place(s) of birth of the child's parents.

## Fox Glen

### Credit Scoring Model

Management will screen all applicants for their credit activity using a scoring model which takes into account activity for the past 7 years. Screening Reports, a Better NOI company utilizes three major credit bureaus which provide access to the most complete and relevant credit information available. As of November 1, 2020, applicants must meet a minimum FICO credit score of 640 for approval. Applicant may qualify for conditional approval as follows:

620-639 - Conditionally approved with one month's security deposit

600-619 - Conditionally approved with one month's security deposit and co-signer

Below 600 – Denial

Category	Felony	Gross	Misd	Petty	Unkown
	Convict	Convict	Convict	Convict	Convict
<b>Offenses Against Animals</b>					
Cruelty to Animals	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Animal Fighting	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Own Dangerous Animals	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Animals at Large	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Against Government</b>					
Escape and Rescues	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Obstructing Justice	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Crimes Against Officers	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Tampering	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Intimidate Jurors,Witnesses	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Endangering Public Transport	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Eluding Law Enforcement	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Resisting Arrest	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Terrorism	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Treason	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Insurrection	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Against Person</b>					
Homicide	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Manslaughter	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Kidnapping	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Hostage	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Robbery	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Attempted Murder	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Assault	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Attempted Assault	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
False Imprisonment	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Battery	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Vehicular Manslaughter	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Against Property</b>					

Stealing	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Theft	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Embezzlement	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Arson	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Burglary	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Larceny	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Shoplifting	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Vandalism	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Destruction of Property	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Hazardous Waste Disposal	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Against Public Peace</b>					
Aiding and Abetting	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Disturbing the Peace	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Disorderly Conduct	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Loitering	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Malicious Mischief	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Invasion of Privacy	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Harassment	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Eavesdropping	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Inciting a Riot	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Mayhem	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Leaving Scene of Crime	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Fighting by Agreement	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Dueling	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Violate Order of Protection	7 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Alcohol</b>					
Alcohol / Drunkenness	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Driving Under Influence	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Computers</b>					
Interception of Comm	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Crimes against Computers	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Telecommunications Fraud	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs

Wire Tapping	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Family Relations</b>					
Abandonment	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Neglect of Children	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Spousal Abuse	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Domestic Violence	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Child Abuse	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Child Abduction	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Bigamy	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Incest	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Trafficking in Children	25 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Firearms</b>					
Possession of Firearm	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Weapon	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Explosive or Harmful Substance	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Weapons Careless	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Reckless/Negligent Use Weapon	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Fraud</b>					
Bribery	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Fraud	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Deception	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Corruption	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Forgery	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Falsifying Documents	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Counterfeiting	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Insurance Fraud	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Misuse of Official Information	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Libel	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Passing Bad Checks	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Gambling</b>					
Illegal Lotteries	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Bookmaking	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs

Gaming	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Horse Racing	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Possession of Gaming Devices	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Illegal Drugs</b>					
Possession of Drugs	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Possession of Drug Para	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Possession W/Intent to Sell	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Use of Illegal Drugs	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Sale of Illegal Drugs	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Drug Trafficking	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Organized Crime</b>					
Conspiracy	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Money Laundering	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Extortion	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Loan Sharking	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Racketeering	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Offenses Involving Sex</b>					
Sexual Assault	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Rape	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Seduction	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Molestation	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Indecent Exposure	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Sexual Exploitation of Child	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Sodomy	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Prostitution	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Pimping	10 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Obscenity	5 yrs	0 yrs	0 yrs	0 yrs	0 yrs
<b>Other Victimless Offenses</b>					
Destruction of Document	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
False Impersonation	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Illegal Assistance to Suicide	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Crimes Involving Contraband	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs



Parole	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Bail or Probation Violations	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs
Trespassing	0 yrs	0 yrs	0 yrs	0 yrs	0 yrs

Effective 04.2024