Michigan Supreme Court
State Court Administrative Office
Field Services Division
Michigan Hall of Justice
P.O. Box 30048
Lansing, Michigan 48909
Phone (517) 373-4835

Ryan P. Gamby
Field Services Director

MEMORANDUM

DATE: November 1, 2024

FROM: SCAO Forms Team

RE: Creation of CC 540 and CC 541

Below are SCAO-approved court forms that were recently created. Copies of the new forms, along with instructions for use, are provided.

Because these are new forms, updates are likely. Please be mindful of this if printing forms.

***NEW FORM* CC 540, Motion to Claim Remaining Proceeds from Tax Foreclosure Sale On or After July 18, 2020**
Most recent update: (11/24) version
Use of previously approved version: NEW FORM – For use beginning November 1, 2024.

This form is for use in proceedings under MCL 211.78t. A copy of CC 540 is attached.

***NEW FORM* CC 541, Motion to Claim Remaining Proceeds from Tax Foreclosure Sale Before July 18, 2020**
Most recent update: (11/24) version
Use of previously approved version: NEW FORM – For use beginning November 1, 2024.

This form is for use in proceedings under MCL 211.78t. A copy of CC 541 is attached.

Email: CourtFormsInfo@courts.mi.gov.

NEW FORM

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	MOTION TO CLAIM REMAINING PROCEEDS FROM TAX FORECLOSURE SALE ON OR AFTER JULY 18, 2020	CASE NO. and JUDGE

Court address **Court telephone no.**

Plaintiff's name, address, and telephone no.		Defendant's name, address, and telephone no.
	v	
Plaintiff's attorney, bar no., address, and telephone no.		Defendant's attorney, bar no., address, and telephone no.

Use note: Use this form if the foreclosure sale or transfer occurred **on or after July 18, 2020**. Otherwise, use form CC 541. This motion is filed in the same proceeding in which the judgment of foreclosure was entered. This motion must be filed during the period of **February 1 through May 15** immediately following the foreclosure sale or transfer.*

MOTION

1. I, _____ , a claimant, am seeking ☐ all ☐ some portion of the
Name of claimant

remaining proceeds from the sale or transfer of tax-foreclosed property.
I ☐ am ☐ am not representing myself.

2. The judgment of foreclosure was entered on _____ .
Date

3. Sale or transfer of the foreclosed property occurred on _____ .
Date

☐ 4. Immediately before the property's foreclosure, I possessed the following interest in the property:

_____ .
Description

☐ I had a lien or security interest in the property when the judgment of foreclosure was effective. The amount owed to me is $ _____ . My priority is _____ .

☐ The required documentation of my interest in the property immediately before its foreclosure
☐ is ☐ is not included with this motion.

5. The specific basis for my claim to remaining proceeds is as follows:

*Exceptions may apply.

☐ 6. ☐ a. I ☐ did ☐ did not transfer my interest in the property before the judgment of foreclosure was effective.

☐ b. My interest in the property was not otherwise divested before the judgment of foreclosure was effective.

7. I or an entity in which I held a direct or indirect interest ☐ did ☐ did not purchase the property under MCL 211.78m.

8. I ☐ do ☐ do not hold a direct or indirect interest in the property as of the filing of this motion.

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

_____
Date

_____
Signature of claimant or claimant's representative

_____
Name (type or print)

_____
Address for service

_____
City, state, zip Telephone no.

CERTIFICATE OF MAILING

I served a copy of this motion on the foreclosing governmental unit by first-class mail as specified in MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____
Date

_____
Signature

NEW FORM

STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY	MOTION TO CLAIM REMAINING PROCEEDS FROM TAX FORECLOSURE SALE BEFORE JULY 18, 2020	CASE NO. and JUDGE

Court address **Court telephone no.**

Plaintiff's name, address, and telephone no.		Defendant's name, address, and telephone no.
Plaintiff's attorney, bar no., address, and telephone no.	v	Defendant's attorney, bar no., address, and telephone no.

Use note: Use this form if the foreclosure sale or transfer occurred **before July 18, 2020**. Otherwise, use form CC 540. This motion is filed in the same proceeding in which the judgment of foreclosure was entered.

MOTION

1. I, _____ (Name of claimant), a claimant, am seeking ☐ all ☐ some portion of the remaining proceeds from the sale or transfer of tax-foreclosed property. I ☐ am ☐ am not representing myself.

2. The judgment of foreclosure was entered on _____ (Date).

3. Sale or transfer of the foreclosed property occurred on _____ (Date).

4. The parcel identification number of the property sold or transferred is _____.

   The address of the property is (if available) _____.

☐ 5. Immediately before the property's foreclosure, I possessed the following interest in the property:

_____ (Description).

☐ I had a lien or security interest in the property when the judgment of foreclosure was effective. The amount owed to me is $ _____. My priority is _____.

6. ☐ a. All other known interests in the property held by any entity or person immediately before foreclosure, including liens or mortgages, are: (Include additional sheets as needed.) _____

_____.

☐ b. I possessed the sole interest in the property at the time of foreclosure.

☐ 7. The required documentation of my interest in the property ☐ is ☐ is not included with this motion.

8. The specific basis for my claim to remaining proceeds is as follows: (Include additional sheets as needed.)

☐ 9. ☐ a. I ☐ did ☐ did not transfer my interest in the property before the judgment of foreclosure was effective.

☐ b. My interest in the property was not otherwise divested before the judgment of foreclosure was effective.

10. I or an entity in which I held a direct or indirect interest ☐ did ☐ did not purchase the property under MCL 211.78m.

11. I ☐ do ☐ do not hold a direct or indirect interest in the property as of the filing of this motion.

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

_____
Date

_____
Signature of claimant or claimant's representative

_____
Name (type or print)

_____
Address for service

_____
City, state, zip Telephone no.

CERTIFICATE OF MAILING

I served a copy of this motion on the foreclosing governmental unit by first-class mail as specified in MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

_____
Date

_____
Signature