

Form DC 102d

COMPLAINT, TERMINATION OF TENANCY Mobile Home Park-Mobile Home Owner (Just-Cause Termination)

Use this form if:

- you want to start eviction proceedings against a tenant to terminate tenancy in a mobile home park, and
- you delivered to the tenant a demand for possession to terminate tenancy (form DC 100d), and
- the time for moving as stated in the demand has passed since the date you delivered the demand for possession.

A STATE OF MICHIGAN JUDICIAL DISTRICT	COMPLAINT, TERMINATION OF TENANCY Mobile Home Park-Mobile Home Owner (Just-Cause Termination)	CASE NO.
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Court address

Court telephone no.

B Plaintiff name(s), address(es), and telephone no(s).

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

v

Defendant name(s), and address(es)

The plaintiff states:

- C** 1. There is no other pending or resolved civil action arising out of the same transaction or occurrence alleged in this complaint.
 A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The docket number and assigned judge are _____.
The action remains is no longer pending.
2. Attached to this complaint is a copy of the lease or occupancy agreement, if any, under which possession is claimed, and a copy of the demand for possession showing when and how it was served.
3. The owner/operator of the mobile home park described in the attached demand for possession is:

D _____
Name (type or print)

E 4. The defendant is in possession of the following portion of the mobile home park:

F 5. The plaintiff has terminated tenancy and has a right to possession based on just cause as follows: See next page for explanation.

6. The defendant has not complied with the demands made.
7. **The plaintiff requests** a judgment of possession and costs.

G NOTE: If you wish to demand a jury trial, you must file a jury demand (MC 22).

TO THE DEFENDANT: You are required to pay rent and other charges while this case is pending.

SUPPLEMENTAL COMPLAINT

H 8. Complaint is made and judgment is sought for money damages against the defendant as follows:

I _____
Date

Plaintiff/Attorney signature

(See next page for explanation of just-cause terminations.)

**EXPLANATION OF JUST-CAUSE TERMINATIONS
FOR MOBILE HOME OWNERS RENTING LAND IN MOBILE HOME PARKS**

MCL 600.5775(2)

- (a) Use of site for unlawful purpose.
- (b) Failure by the tenant to comply with a lease or agreement of the park or with a rule or regulation of the mobile home park adopted under the lease or agreement, which rule or regulation is reasonably related to the following:
 - (i) the health, safety, or welfare of the park, its employees, or tenants.
 - (ii) the quiet enjoyment of the other tenants of the mobile home park.
 - (iii) maintaining the physical condition or appearance of the mobile home park or the mobile homes on site.
- (c) A violation by the tenant of rules of the Michigan Department of Public Health (now known as Community Health).
- (d) Intentional physical injury by the tenant to the personnel or other tenants of the mobile home park, or intentional physical damage by the tenant to the property of the mobile home park or of its other tenants.
- (e) Failure of the tenant to comply with a local ordinance, state law, or governmental rule or regulation relating to mobile homes.
- (f) Failure of the tenant to pay rent or other charges under the lease or rental agreement on time on three or more occasions during any 12-month period, for which the owner or operator has served a written demand for possession for nonpayment of rent and the tenant has failed or refused to pay the rent or other charges within the time period stated in the written demand for possession.
- (g) Conduct by the tenant upon the mobile home park premises which is a substantial annoyance to other tenants or to the mobile home park, after notice and an opportunity to cure.
- (h) Failure of the tenant to maintain the mobile home or mobile home site in a reasonable condition consistent with aesthetics appropriate to the park.
- (i) Condemnation of the mobile home park.
- (j) Changes in the use or substantive nature of the mobile home park.
- (k) Public health and safety violations by the tenant.