

Mary Hardies, Chair, District 1
Michelle Hamlin, Vice-Chair, District 5
Bob DeVriendt, District 2
Lloyd Peltier, District 3
James Madison, District 4



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County of Montmorency Board of Commissioners

Resolution #2026-07

RESOLUTION SUPPORTING HOUSE BILLS 5152 AND 5153

At the meeting of the County of Montmorency Board of Commissioners held in the County of Montmorency Building located in Atlanta, Michigan on **March 26, 2026**.

PRESENT: Bob DeVriendt, James Madison, Mary Hardies, Lloyd Peltier and Michelle Hamlin

ABSENT: None

The following resolution was made by **Bob DeVriendt** and seconded by **Lloyd Peltier**, to-wit:

WHEREAS, House Bills 5152 and 5153 have been introduced in the Michigan Legislature to amend the Revised Judicature Act of 1961, providing critical protections for homeowners during mortgage foreclosure proceedings; and

WHEREAS, Officials from other counties in Michigan have identified a pattern of predatory practices where third-party firms target vulnerable residents who are facing mortgage foreclosure; and

WHEREAS, these firms exploit homeowners and heirs by convincing them to sell either the property itself or their statutory rights to surplus foreclosure proceeds and redemption, often stripping residents of tens of thousands of dollars in home equity for a fraction of the true value; and

WHEREAS, County officials from other counties have witnessed firsthand these firms targeting vulnerable residents after an auction has concluded, including an instance where an elderly heir was paid \$100 to sign away her rights to over \$10,000 in known surplus proceeds; and

WHEREAS, these predatory activities not only harm homeowners, they create a significant and ongoing burden for County's departments statewide, including the County Clerk, Sheriff's Office, the Register of Deeds, the Probate Court, and the Corporate Counsel, which must expend public resources to manage fraudulent claims and improperly filed probate estates; and

WHEREAS, House Bill 5153 would directly stop this predatory model by making a mortgagor's right to surplus money and right of redemption non-assignable and non-transferable after a notice of foreclosure is recorded, except through legitimate testate or intestate succession; and

WHEREAS, House Bill 5152 would further protect homeowners by requiring a mandatory, plain-English "Notice of Rights" for any conveyance of property after a foreclosure notice is recorded, ensuring the seller fully understands they are waiving their rights to redemption, occupancy, and surplus proceeds; and

WHEREAS, the Counties across Michigan have identified the burdens created by these practices and are asking the County of Montmorency Board of Commissioners for a resolution of support for this vital legislation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the County of Montmorency Board of Commissioners fully supports House Bills 5152 and 5153, which will protect Montmorency County residents and residents across the State of Michigan, from foreclosure fraud, preserve home equity for families, and reduce the burden on local government resources.

BE IT FURTHER RESOLVED that the County Clerk shall forward copies of this resolution to the Governor of the State of Michigan, the Majority Leader of the Michigan Senate, the Speaker of the Michigan House of Representatives, and all Michigan counties for their consideration and action and distribute to all County Clerks to be a posted communication in each county.

(Left blank intentionally)

RESOLUTION DEEMED APPROVED

ROLL CALL VOTE:

APPROVE: Mary Hardies, Lloyd Peltier, Michelle Hamlin, James Madison and Bob DeVriendt

DENY: None

ABSENT/ABSTAIN:

Signed by:
Mary Hardies
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Mary Hardies, Chairperson
County of Montmorency BOC, Michigan

Dated: **March 26, 2026**

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF MONTMORENCY)

I, the undersigned, the duly qualified and acting Clerk of Montmorency County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Montmorency County Board of Commissioners at a meeting held on the 26th day of March, 2026, and that notice of said meeting was given in accordance with the Open Meetings Act, and further certify that the above resolution was adopted at said meeting.

Dated: _____

Cheryl A. Neilsen, Clerk
County of Montmorency, Michigan