



## City of Detroit Detroit City Council

FROM THE DESK OF  
Mary Waters, Member At-Large  
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### Memorandum

**TO:** The Honorable Dana Nessel, Attorney General of the State of Michigan  
**FROM:** Mary Waters, Councilmember At-Large, City of Detroit  
**DATE:** 5/6/2024  
**RE:** Legality of the Detroit Land Bank Authority Executing Nuisance Abatement Programs Targeting Private Property

General Nessel:

On behalf of my constituents in Detroit, I formally request your office to investigate the legality of the Detroit Land Bank Authority (DLBA) executing a Nuisance Abatement Program that target not only property that is in its rolls, but also privately-held property that is not owned or managed by the DLBA.

Under the State Land Bank Fast Track Authority, localities, including Detroit, were permitted to establish local land bank authorities, pursuant to the enabling legislation. That legislation, PA 258 of 2003, does not authorize these authorities to police privately-held property for violations of community blight standards. Per our understanding, only the municipality itself may enforce these laws.

Many Detroiters have found themselves receiving violation notices on their property not from the City of Detroit, but from the DLBA. These residents have complained that the supposed 'violations' are inaccurate, and enforcement seems to be arbitrary and capricious. When pressed on the legality of the DLBA's enforcement of these laws despite what is in State of Michigan statute, the Executive Director of the DLBA stated that it was based on 'common law'.

Given the adverse impact that the DLBA has had in the community, it is critical that we firmly establish the legality of their actions. Please direct your office to review this matter and issue a clear statement defining the scope of the DLBA's authority in these matters.

With best regards,

Mary Waters

Councilmember At-Large

Detroit City Council