


David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Director, City Planning
Commission
Janese Chapman
Director, Historic Designation
Advisory Board

John Alexander
LaKisha Barclift, Esq.
Paige Blessman
M. Rory Bolger, Ph.D., FAICP
Victory Corley
Lisa DiChiera
Eric Fazzini, AICP
Willene Green
Christopher Gulock, AICP
Marcel Hurt, Esq.
Sandra Jeffers

City of Detroit
CITY COUNCIL
LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

Kimani Jeffrey
Anthony W. L. Johnson
Phillip Keller, Esq.
Edward King
Kelsey Maas
Jamie Murphy
Dolores Perales
Analine Powers, Ph.D.
W. Akilah Redmond
Rebecca Savage
Sabrina Shockley
Renee Short
Floyd Stanley
Thomas Stephens, Esq.
Timarie Szwed
Theresa Thomas
Janice Tillmon
Ian Tomashik
Emberly Vick
Ashley A. Wilson

TO: Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: March 26, 2025

RE: **Modifications to DLBA MOU**

The Legislative Policy Division (LPD) has been requested by Council Member Mary Waters to capture the language identified in a memorandum directed to LPD and Corporation Counsel to be included in the Third Amended and Restated Memorandum of Understanding between the City of Detroit and the DLBA. LPD does not have the authority to unilaterally include language in the MOU but has prepared a draft resolution for City Council's consideration urging the inclusion of the requested matters.

LPD notes that a separate resolution submitted on March 12, 2025, was drafted by LPD at the request of the City Council urging modifications to the DLBA MOU. This resolution contained recommendations from several Council offices. The attached resolution from Council Member Waters contains additional recommendations to be considered. Two of the recommendations requested by Council Member Waters were not included in the resolution as they conflict with State Law and/or the Intergovernmental Agreement between the City of Detroit and Michigan Land Bank Authority. The two items are as follows:

Board Composition: Clarify the composition of the board to reflect a diverse range of expertise and perspectives that are essential for effective decision-making and representation of stakeholders.

Term Limits and Succession Planning: Implement term limits for board members and establish a robust succession planning mechanism to ensure continuity and fresh perspectives over time.

MCL 124.773(6) provides that the Intergovernmental Agreement shall provide the qualification, method and term of the board members. To require changes to the board composition and term limitations, the Intergovernmental Agreement would have to be amended instead of the MOU.

Please let us know if we can be of further assistance.

**RESOLUTION URGING THE AMENDMENT OF
THE CITY OF DETROIT/DETROIT LAND BANK AUTHORITY
MEMORANDUM OF UNDERSTANDING**

BY COUNCIL MEMBER MARY WATERS

WHEREAS, The City of Detroit and the Detroit Land Bank Authority (DLBA) are considering entering into a Third Amended and Restated Memorandum of Understanding; and

WHEREAS, The Detroit City Council believes that there are areas that the DLBA can improve as it provides services to residents of the city of Detroit.

WHEREAS, The Detroit City Council has identified a list of modifications which we strongly urge the DLBA to incorporate as part of the proposed Third Amended and Restated Memorandum of Understanding as follows:

1. **Eviction Process:** The Detroit Land Bank Authority shall not proceed with forced eviction of individuals occupying properties within its inventory without first going through the proper legal court process, ensuring due process is followed in accordance with Michigan state law
2. **Foreclosed Owner Right of Refusal:** All former property owners and their immediate family members who lost their homes to foreclosure and whose properties are now in the DLBA's inventory shall have the right to purchase the property or land. The DLBA must provide these individuals with the opportunity to repurchase the property at a fair market value or under terms agreed upon by both parties.
3. **Occupied Property First Right of Refusal:** Citizens who can demonstrate investment in their homes should be granted the first right of refusal to purchase the property they currently occupy, thereby avoiding the auction process.
4. **Property Condemnation:** The Detroit Land Bank Authority shall not use city departments or external entities (such as BEESED or similar agencies) to condemn occupied properties within its inventory. Any condemnation action must follow proper legal procedures and involve the necessary court process to protect the rights of current occupants.
5. **Transparency and Reporting:** Introduce provisions that mandate regular reporting and transparency measures from the board to promote accountability and foster trust among stakeholders.
6. **Conflict of Interest Policies:** Strengthen conflict of interest policies to prevent any potential conflicts and uphold the integrity of the board's decision-making processes.

7. **Provide Legally binding letter of Intent:** The DLBA shall provide a binding letter of intent to applicants that have been approved to participate under the “Buy Back Program” that provides assurance that their investment in the property in compliance with the programs guidelines will result in acquiring clear title to the home.
8. **Provide Effective Notification:** The DLBA shall notify all individuals residing in DLBA homes that have applied for a DLBA program, the process for grievance or appeal of a denial of their application. This notification should be processed through the Housing and Revitalization Department (HRD) and provide clear guidelines for applicants to follow.
9. **Establish a Firm Application Processing Time:** The DLBA shall provide individuals interested in DLBA properties 90 days to submit all relevant information prior to declining an individual’s application. After receiving the applicant’s information, the DLBA shall process the application within 90 days of receipt of all necessary information.
10. **Establish Firm Policies Around Complaints:** Community complaints concerning occupied homes must clearly outline the legal disputes involved and residents should not lose eligibility for “Buy Back” unless they have been convicted of committing violent crimes against neighbors and property.

WHEREAS, The aforementioned amendment provisions will provide necessary safeguards to the DLBA and are needed by the residents of the city of Detroit; and **BE IT THEREFORE**

RESOLVED, That the Detroit City Council urges the City of Detroit and the DLBA to incorporate the above requested provisions in the Third Restated an Amended Memorandum of Understanding.; and **BE IT FINNALLY**

RESOLVED, That a copy of this resolution be provided to Mayor Mike Duggan and Tammy Daniels, Chief Executive Officer of the DLBA.