

CITY OF GLADSTONE
Utility Lien Waiver Affidavit

Notice to Owner(s):

If you are the owner of a rental property and desire, pursuant to Act 94; 141.121, Sec 21, to avoid a tenant's unpaid utility bill from becoming a lien against your real estate property, you may execute the attached utility affidavit. The utility affidavit must be filed with the City of Gladstone Utility Billing Department, 1100 Delta Ave, Gladstone, Michigan 49837. The attached utility affidavit must be filed, together with a **\$20** filing fee and tenant deposit, to be in effect. The tenant's deposit is established by the Gladstone City Commission, in accordance with the Gladstone Code of Ordinances, Chapter 58-Utilities, Part 58.3-Application for Services. Deposit is paid by the tenant and is held until final utility bill. Utility deposit and any accrued interest is applied to the final utility bill. **Do not use your own utility affidavit. Use the attached form of affidavit only.** Tenant can revert utility account back to landlord, upon vacating premise, anytime during this affidavit. See the Utility Policy for all terms and conditions of utility service.

Eligibility for Program:

The affidavit program is not available for rental properties with multiple units unless there is a separately metered service for each unit and the unit's shut-off is accessible to the City from the outside of the building. Multi-units with one water meter will have water and sewer billed under the landlord of the property. Electric for common areas must be separately metered and not through a tenant's unit meter.

Requirements & Contents of Affidavit:

- a) The lease with your tenant must be a *written lease* that specifically provides that the tenant is directly responsible for the City of Gladstone utility bill associated with the unit. Tenant who is listed on utility account must be listed on the lease.
- b) The Affidavit must be filled out completely and accurately, signed and notarized. If it is not **correctly and completely filled out, signed and notarized**, the benefits of Act 94; 141.121, sec 21 will not be available to you. Be sure to use the full and complete names of landlord(s) and the tenant(s).
- c) If there is more than one landlord or tenant, provide all applicable names. **DO NOT LEAVE ANY MISSING DATA.**
- d) Your affidavit *must* contain the exact date upon which the tenant's written leasehold interest expires under the Lease. If the lease is cancelled, the terms are changed or the tenancy is terminated, the Landlord **must** notify the City. Notification must be made, in writing, at least 20 days prior to the cancellation, change or termination of lease or this Affidavit will be terminated.
- e) The deposit must be paid when filing the Affidavit with the City.
- f) Either type or print in ink the information provided in the affidavit.

Information Regarding Tenants Utility Bills:

Access to information of a tenant utility account, from person's other than account holder, must have a signed "tenant consent to release of information" from the utility affidavit. Only information as stated in the tenant consent will be available for release.

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Being first duly sworn, the undersigned affirms and executes this affidavit pursuant to the terms of Act 94; 141.121, Sec 21 and the City of Gladstone Code of Ordinances, Chapter 58-Utilities, Part 58.8-Landlord Not Responsible.

OWNER INFORMATION:

- 1) My/Our Full Names as Landlord(s) is: _____
- 2) The Business Address of Landlord(s) is: _____
- 3) Business Phone Number of Landlord(s) is: _____
- 4) Email of Landlord is: _____
- 5) Management Company (if applicable): _____

TENANT INFORMATION

- 1) Full Names(s) of Tenant(s) is: _____

- 2) Tenant(s) Rental Address is: _____
- 3) Tenant(s) Phone Number is: _____
- 4) Tenant(s) Email is: _____
- 5) Tenant(s) Social Security Number is: _____
- 6) Tenant(s) Driver's License Number: _____
- 7) Date Tenancy commences: _____
- 8) Expiration Date on Lease: _____

**Utility Affidavit expires as of this date*

OWNER OR THEIR REPRESENTATIVE, ACKNOWLEDGES IT IS HIS/HER RESPONSIBILITY TO NOTIFY THE CITY UTILITY BILLING DEPARTMENT IF THE ABOVE-NAMED TENANT(S) TERMINATES LEASE, THE LEASE IS CANCELLED OR THERE IS A CHANGE IN THE PROVISIONS IN THE LEASE. NOTIFICATION MUST BE GIVEN, IN WRITING, AT LEAST 20 DAYS PRIOR TO CHANGE. IF SUCH NOTICE IS NOT TIMELY GIVEN OR ANY PORTION OF THE AFFIDAVIT IS INCORRECT OR INCOMPLETE, THE UTILITY AFFIDAVIT BENEFITS WILL NOT BE AVAILABLE TO LANDLORD.

Owner Signature or Representative of Owner (must be signed in front of notary)

STATE OF MICHIGAN)
COUNTY OF DELTA)

The Affiant, _____, appeared before me, a Notary Public in and for _____
County, Michigan, on the _____ day of _____, 20____ and affirmed or swore under oath that the information
contained in the foregoing affidavit is true and correct.

Notary Print Name

Notary Signature

My Commission Expires _____

TENANT CONSENT TO RELEASE OF INFORMATION

The undersigned is a tenant(s) of the premises described in the foregoing Landlord Affidavit that is being provided to the City of Gladstone. The undersigned consent to and agrees that the City of Gladstone may release to the Landlord specified in the foregoing affidavit all information regarding the status of my use of and billing for utility usage provided to the leased premises by the City of Gladstone. My consent and release include, but is not limited to, the amount of any currently due, past due or otherwise unpaid utility charges. Such consent shall continue for the full length of my lease of the subject premises, including any period of holdover tenancy. The utility escrow deposit is the property of the tenant and is applied to final billing. Any balance will be mailed to tenant, at their forwarding address, within 30 days.

Tenant/Renter

Date

Tenant/Renter

Date

Received by City

Staff: _____

Date Stamp: