

Graduate Student Council

GSC Resolution No. 4

INTRODUCED BY: Dan Adler

DATE: November 28th, 2005

A RESOLUTION TO: Recommend the University improve the policies and procedures associated with renting from the Daniell Heights/MTU Apartments

WHEREAS, the Daniell Heights/MTU Apartments establish terms and conditions of occupancy in the rental agreement signed by all tenants; and

WHEREAS, the Graduate Student Council has received several complaints from graduate students with regards to poor customer service and large cleaning fees charged at the end of extended stays in the same apartment; and

WHEREAS, Section IV, Subsections 1.1 and 1.2 of the Daniell Heights/MTU Apartments rental agreement establishes the charging of a cleaning/damage deposit; and

WHEREAS, Act 348 of 1972 (Michigan Legislature) establishes legal guidelines for relationships between landlords and tenants; and

WHEREAS, in *Stutelberg v. Practical Management* (1976), the Michigan Court of Appeals determined that a cleaning fee was different than a security deposit and must be charged at the beginning of tenancy and be non refundable; and

WHEREAS, in *Smolen v. Dahlmann* (1983), the Michigan Court of Appeals determined that cleaning expenses are not actual damages and cannot be withheld from a tenant's security deposit; and

REALIZING, good customer service and student satisfaction is vital to the success of Michigan Technological University; and

REALIZING, the Graduate Student Council is committed to aiding the University in its pursuit of improved student services; and

BE IT RESOLVED, that the Graduate Student Council opposes the practice of charging students cleaning fees from a refundable deposit by the Daniell Heights/MTU Apartments management; and

BE IT FINALLY RESOLVED, that the Graduate Student Council recommends that the Daniell Heights/MTU Apartments management change their policies and procedures to improve customer service and increase student satisfaction.