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Mayor and Council –

Please see the following information regarding recently signed legislation limiting the authority of HOAs prohibiting solar panels and other energy-saving activities

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New Michigan law takes some powers away from HOAs

By David Eggert



Credit: Dale G. Young/Crain's Detroit Business

Rep. Ranjeev Puri, D-Canton, sponsored a new law that will let homeowners who live in homeowners associations install solar panels and make other energy-saving improvements.

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LANSING — Michigan homeowners could install solar panels, clotheslines and make other energy-saving improvements regardless of bans set by homeowners associations under a law that will take effect in 2025.

Democratic Gov. Gretchen Whitmer signed [House Bill 5028](#) on Monday. It was sponsored by Rep. Ranjeev Puri, D-Canton, and was [narrowly passed](#) by the Democratic-led Legislature along party lines.

"Simply put, Michigan homeowners shouldn't face artificial barriers to lowering their energy consumption, saving more of their hard-earned money and helping to keep Michigan's environment

healthy," Puri said in a statement.

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Senate Republicans did not support giving the legislation immediate effect, which means the law will be effective in roughly eight months instead of three, assuming lawmakers adjourn in December.

The Homeowners' Energy Policy Act is designed to address what supporters, including environmentalists, local governments and advanced-energy companies, say are overly restrictive homeowners association agreements. Some 1.4 million people live in a subdivision with a homeowners association.



Credit: David Paul Morris/Bloomberg

Rooftop solar panels on homes in Rocklin, California near Sacramento.

Starting in March, association provisions will be invalid and unenforceable if they prohibit or require approval of the replacement, maintenance, installation or operation of energy-saving improvements or modifications. Those will be defined as clotheslines, heat pumps, insulation, rain barrels, reflective

roofing, energy-efficient appliances, solar water heaters, EV supply equipment, energy-efficient windows and energy-efficient insulation materials.

Associations generally will be unable to bar solar systems and will be required to adopt a policy statement on solar energy that aligns with the law. They will be able to deny applications in certain circumstances, such as a rooftop system extending over the roof by more than 6 inches, not conforming to the roof's slope or having a frame, support bracket or visible wiring that is not silver, bronze or black. They will be authorized to block a system in a fenced yard or patio if it is taller than the fence line.

The Community Association Institute's Michigan chapter, which represents 8,500 community associations statewide, opposed the bill. A representative testified that it would infringe on the HOA model of self-governance and freedom of contract. One Republican gave a floor speech saying it is too broadly written.



By David Eggert

David Eggert is a senior reporter covering politics and policy for Crain's Detroit Business. He joined Crain's in 2022 after a combined 15 years at The Associated Press in Lansing and jobs at MLive, the Lansing State Journal and various other newspapers.

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