



Michigan Supreme Court

State Court Administrative Office

Court Services Division

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

MEMORANDUM

DATE: April 27, 2021

TO: Judges, Court Administrators, and Prosecuting Attorneys

FROM: Rebecca A. Schnelz, Forms and Resources Analyst

RE: DC 104, Summons, Landlord-Tenant/Land Contract

Form DC 104 has been revised. A brief explanation of the changes and a copy of the forms with the changes highlighted are provided below.

If a form is used by the court through a JIS case management system, you will receive a separate notice from JIS regarding the release of the form. Until then, please use the current version posted to the One Court of Justice website.

For questions, comments, or suggestions about court forms, contact 517-373-5626 or CourtFormsInfo@courts.mi.gov.

[DC 104, Summons, Landlord-Tenant/Land Contract](#)

Most recent update: (4/21)

Use of existing stock: Existing stock cannot be used as of May 1, 2021.

Translated versions of this form will be released at a later date.

- [Click here to see the highlighted changes.](#)

This form was revised pursuant to ADM Order 2019-41, dated January 20, 2021. Additional changes were made to meet new MiFILE requirements.

STATE OF MICHIGAN
JUDICIAL DISTRICT
COUNTY

SUMMONS
Landlord-Tenant/Land Contract

CASE NO. and JUDGE

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.

If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Rental unit eviction

Land contract forfeiture

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. The plaintiff has filed a complaint against you and wants
- to recover possession, after land contract forfeiture, of
 - a money judgment for
 - to evict you from

Address or description of premises

2. You are summoned to be in the district court on _____
Day, date, and time

at the address above, at _____, courtroom _____
Location

3. This action is is not brought in the county or district in which the premises or any part of the premises is situated.
4. You have the right to have the case tried in the proper county, district, or court. The case will be transferred to the proper county, district, or court if you file a motion with the court for such transfer.
5. You have the right to a jury trial. If you do not demand a jury trial and pay the required jury fee in your first defense response, you will lose this right.
6. If you are in district court on time, you will have an opportunity to give the reasons why you feel you should not be evicted. Bring witnesses, receipts, and other necessary papers with you.
7. If you are not in district court on time, you may be evicted without a trial and a money judgment may be entered against you.

This document must be sealed by the seal of the court.

Court clerk signature and date

CERTIFICATE OF MAILING BY COURT*

I certify that on this date I served a copy of this summons and the complaint and required attachments on the defendant(s) by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

Clerk signature and date

CERTIFICATE OF MAILING*

I served a copy of this summons and the complaint and required attachments on the defendant(s) by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3). I declare under the penalties of perjury that this certificate of mailing has been examined by me and that its contents are true to the best of my information, knowledge, and belief. I have attached a receipt of mailing from the post office.

*The certificate of mailing applies to landlord-tenant cases only.

Plaintiff signature and date

STATE OF MICHIGAN
JUDICIAL DISTRICT
COUNTY

SUMMONS
Landlord-Tenant/Land Contract
(Tenant's Copy)

CASE NO. and JUDGE

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.

Rental unit eviction

Land contract forfeiture

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. The plaintiff has filed a complaint against you and wants
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at the address above, at _____, courtroom _____
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3. This action is is not brought in the county or district in which the premises or any part of the premises is situated.
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5. You have the right to a jury trial. If you do not demand a jury trial and pay the required jury fee in your first defense response, you will lose this right.
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7. If you are not in district court on time, you may be evicted without a trial and a money judgment may be entered against you.

This document must be sealed by the seal of the court.

Court clerk signature and date

HOW TO GET HELP

- You have received an important legal document from a court. Your landlord is trying to evict you. This means you could lose your housing and you could owe your landlord money. It is important to respond to this quickly.
- You may hire an attorney to help you answer the complaint and prepare defenses. If you cannot afford an attorney, you can get help at MichiganLegalHelp.org or you might qualify for assistance through a local legal aid office. If you do not have Internet access at home, you can access the Internet at your local library.
- If you do not have an attorney, but have money to hire one, you can find an attorney through the State Bar of Michigan Lawyer Referral Service at 1-800-968-0738 or a local lawyer referral service at michbar.org.
- If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Entire page revised

PROOF OF SERVICE

TO PROCESS SERVER: You are to serve the summons, complaint, and attachment(s) as instructed. You must make and file your proof of service with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

SUMMONS
Landlord-Tenant/Land Contract
Case No. _____

<input type="checkbox"/> I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party (MCR 2.104[A][2]). (notarization not required)	<input type="checkbox"/> I am a legally competent adult who is not a party or an officer of a corporate party. (notarization required)
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CERTIFICATE / AFFIDAVIT / SERVICE BY DELIVERY OR ATTACHMENT

I served personally by registered or certified mail (copy of return receipt attached)
 by delivery to a member of the defendant's or defendants' household (who was of suitable age, who was informed of the contents and asked to deliver the papers to the defendant(s))
 after diligent attempts at personal service, by securely attaching the papers to the main entrance of the tenant's or tenants' dwelling unit (list personal service attempts below)

a copy of the summons and complaint and the attachments listed below on:

Defendant(s)/Household member's name	Date and time of service
Place or address of service	
Attachments	
Attempts at personal service (provide attempts if service was by secure attachment)	

NONSERVICE RETURN After diligent search and inquiry, I have been unable to serve the defendant(s).

I declare under the penalties of perjury that this return of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	TOTAL FEE \$	Signature
Incorrect address fee \$	Miles traveled	Fee \$		Name (type or print)

Title (if applicable) _____

Note: If documents are served by someone other than a sheriff, deputy sheriff, or other person listed in MCL 600.1910(b), this return must be notarized.

Subscribed and sworn to before me on _____
Date

Deputy clerk/Notary public signature _____
My commission expires on _____
Name (type or print) _____

Notary public, State of Michigan, County of _____ Acting in the County of _____
 This notarial act was performed using an electronic notarization system or a remote electronic notarization platform.

ACKNOWLEDGMENT OF SERVICE I acknowledge that I have received service of the summons and complaint, together with _____ on _____
Attachments Date and time
Signature _____ on behalf of _____