Homeowners' Guide to Repealing Racially Restrictive Covenants

Thanks to a law passed by the Michigan legislature in 2022, it is much easier for homeowners to repeal the RRC on their home or on an entire subdivision.

To repeal an RRC as a homeowner who is **not** part of a homeowners' association,* follow the steps below:

> [*If you are a member of a homeowners' association, see the Discharge of Prohibited Restrictive Covenants Act or e-mail us at JusticeInDeedMI@umich.edu for information on how to repeal the RRC for your entire HOA.]

1. Find Out If Your Home Has a Racially Restrictive Covenant

Not all homes in Washtenaw County have an RRC. Most RRCs in Washtenaw County were added to buildings or neighborhoods between 1920 and 1950. There are different ways to find out if your home has an RRC.

First, we strongly recommend that you search for your address on our Washtenaw County Map of Racially Restrictive Covenants, which is, by far, the easiest method to determine if your home has a RRC.

> Note**:** We recognize that the current maps may be incomplete. So, even if your home or subdivision is not marked on the map as having an RRC, **your home may still have an RRC**. If you want to make absolutely certain that you do not have an RRC, you could try one of the methods below, which are more difficult or expensive than searching the map.

Second, if you have the closing packet from when you purchased your house, you may be able to find the RRC there. Look through the entire packet for the deed or other document listing restrictions on the use of the property. The RRC might not be in the deed for the most recent property transaction; be sure to check documents related to the earlier history of the property if you do not immediately find restrictive language.

Third, you can attempt to search the Washtenaw County Register of Deeds website. When doing so, you can search by the name that would appear on the deed. If you do not know the name that would appear on the deed, you can use an address to find the name of the person paying the property taxes for that address through a Treasurer's Property/Parcel Search. You can then use this name to search for a deed.

Fourth, you can hire a title company to do a search for racially restrictive covenants on your property.

Lastly, if you are still unsure whether your home has an RRC and would like our help, please fill out our interest form and we will contact you.

2. Choose a Method for Repealing the RRC

Some RRCs apply only to individual properties. Others are “communal restrictions” that apply to all properties in a subdivision or neighborhood. If the RRC on your property applies to your property only, the only way to repeal the covenant is through Method 1 below. If your subdivision or neighborhood has a “communal covenant,” you can choose between Method 1 or Method 2 below.

> Note: To determine whether you have a communal restriction – and whether you have a choice between Methods 1 and 2 – go to Determine Whether Your RRC Applies to Your Entire Subdivision below.

Method 1: All homeowners have the option to repeal the individual RRC on their home only.

> If you want to repeal the RRC on your home only, follow the Guide for Property Owners to Repeal the RRC on Their Home Only below.

Method 2: If the RRC is part of the “communal restrictions” on your subdivision, you also have the option to work with your neighbors to repeal the RRC for the entire subdivision. This approach has been successfully implemented in both the Hannah Subdivision and the Wildwood Park Subdivision in Ann Arbor, and efforts are currently underway in the West Willow One Subdivision in Ypsilanti.

> If you want to learn whether your entire subdivision has a communal restriction, and if so, how to repeal it, follow the Communal Repeal Method for Property Owners: Organize Your Local Neighborhood below.

Guide for Property Owners to Repeal the RRC on Their Home Only

Follow the steps below to repeal the communal RRC for your home only.

Step One: Fill Out an Individual Repeal Template

Fill out the Justice InDeed Individual Repeal Template to create the amendment document to repeal the racially restrictive covenant. Most of the information you will need to fill out the template – including the legal description of your property – should be available by searching for your property on the Washtenaw County Map of Racially Restrictive Covenants.

To find the Liber and Page number of the RRC, follow the steps below:

1. Find your house on the Justice InDeed mapping website
2. Click on your house
3. Once your house is displayed on the mapping website, click on the original document with the racially restrictive covenant
4. The Liber and Page number will often be stamped across the top, but it may be in other places on the document. See examples in this document.

If you have trouble locating the Liber and Page number following the steps above, please follow these instructions or contact us at JusticeInDeedMI@umich.edu.

When filling the Individual Repeal Template, feel free to reference this model amendment for an individual home. **Do not sign it yet.**

Step Two: Sign and Notarize the Individual Amendment

All owners of the home (or lot) must sign the individual amendment **in the presence of a notary.** When signing the individual amendment, all signing property owners must show the notary a valid, **government-issued ID**.

Who Must Sign the Individual Amendment?

- If your home or lot has multiple owners, all owners must sign the amendment.
- If your property is owned by a trust, all trustees must sign the amendment.

How Do I Find a Notary?

- Your bank likely has a notary public who will notarize your repeal document.
- Or find a notary at your local UPS store.

Step Three: Submit the Amendment and Recording Fee to the Register of Deeds

The amendment must be "recorded" with the Washtenaw County Register of Deeds. This can be done in-person, by mail, or via eRecording.

In-Person

Deliver the notarized individual amendment to the Washtenaw County Register of Deeds and pay the $30 recording fee via cash, check, or credit.

Physical Address:
Washtenaw County Register of Deeds
200 N. Main Street, Suite 110
Ann Arbor, MI 48107

Mail
Mail the notarized individual amendment to the Washtenaw County Register of Deeds and pay the $30 recording fee via check only. You can also drop-off the amendment and $30 check at the drop-box outside the Register of Deeds.

eRecording
Submit the amendment and pay the recording fee via an approved eRecording vendor. Learn more about the eRecording process here.

Mailing by U.S. Postal Service? Send to:
Washtenaw County Register of Deeds
PO Box 8645
Ann Arbor, MI 48107

Mailing via FedEx or UPS? Send to:
Washtenaw County Register of Deeds
200 N. Main Street, Suite 110
Ann Arbor, MI 48107

Drop-box located at:
Washtenaw County Register of Deeds
200 N. Main Street, Suite 110
Ann Arbor, MI 48107

Additional information about the recording process can be found on the Register of Deeds website.

Communal Repeal Method for Property Owners: Organize Your Local Neighborhood

Follow the steps below to repeal the communal RRC for your entire subdivision.

Step One: Determine Whether Your RRC Applies to Your Entire Subdivision

Some RRCs apply not only to an individual property, but also to an entire subdivision. They are known as "communal restrictions." Not all homes with RRCs are covered by a communal restriction. There are a few ways to figure out whether your subdivision has a communal restriction.

First, check the **nonexhaustive** chart of Washtenaw County subdivisions with RRCs below. If you live in one of the listed subdivisions, your subdivision has a communal restriction.

Subdivision Name	Location	Voting Mechanism	Percent of Homeowners Needed to Repeal Communal RRC
College Heights Subdivision	Ypsilanti Township	Yes	67%
Cora Hiscock Subdivision	Ypsilanti	Yes	67%
Cummings Addition	Ypsilanti Township	No	100%
Darlington	Ann Arbor	Yes	67%
Eber White Second Addition	Ann Arbor	Yes	67%
Edward F. Gee's Subdivision	Ypsilanti	Yes	67%
Freeman Estates	Ann Arbor	Yes	67%
Golden Rule	Ypsilanti	Yes	67%
Haig's Subdivision	Ypsilanti	Yes	51%
Hannah	Ypsilanti	Yes	51%
Huron Hearthsides	Ypsilanti Township	Yes	51%
Jenning's Newport Heights	Ann Arbor	Yes	67%
Lindsay Gardens	Ypsilanti	Yes	51%
Pauline Acres	Ann Arbor	No	100%
Prospect Park	Ypsilanti	Yes	67%
Riverview Acres	Ann Arbor	Yes	67%
Saline Heights	Saline Township	Yes	51%
The Highlands	Ann Arbor	No	100%
W. O. Edwards Subdivision	Ann Arbor	Yes	67%
Washtenaw Estates	Pittsfield Township	Yes	67%
Washtenaw Gardens	Pittsfield Township	Yes	67%
Westwillow Unit One	Ypsilanti Township	Yes	51%
Wheeler Court	Saline	Yes	51%

Second, if your home is not on the above list of subdivisions with communal restrictions, you can check the documents you located in the "Find Out If Your Home Has an Racially Restrictive Covenant" instructions above to determine if you have a restriction that applies to the entire subdivision or just your individual home.

If you discover that your subdivision **does not** have a communal restriction—or if you would prefer to only repeal the RRC on your own home—click here for an individual repeal guide.

If you are still unsure whether your home has an RRC and would like our help, please fill out our interest form or email us at JusticeInDeedMI@umich.edu.

Step Two: Determine What Your Communal RRC Says About How It Can Be Repealed

Some communal restrictions are easier to remove than others. The percentage of homeowners needed to remove a communal RRC from a subdivision depends on the language of the RRC.

For example, in the Hannah neighborhood, the communal RRC said we only needed more than 50 percent of homeowners to sign. In other subdivisions, such as the Wildwood Park subdivision, more than two-thirds of the homeowners needed to sign. Other communal restrictions do not contain any voting mechanism. In those subdivisions, 100% of the homeowners must sign an amendment to repeal the communal restriction.

To determine the percentage of homeowners needed to repeal your communal RRC, check the above chart of subdivisions with communal restrictions, or look at the documents located in the "Find Out If Your Home Has an RRC" instructions above.

If you would prefer to only repeal the RRC on your own home or if you don't have a communal covenant, click here for an individual repeal guide.

Step Three: Establish a Neighborhood Working Group

There are, of course, many ways to organize a neighborhood to repeal a communal covenant. We recommend doing the following:

Establish a working group composed of 4 to 6 neighbors who will meet regularly to develop and lead an organizing strategy for the neighborhood. The working group's efforts will include:

1. Filling out the template for the amendment to repeal the communal covenant
2. Informing the neighborhood about the repeal effort
3. Organizing a signature collection event for the neighborhood
4. Recording the completed communal amendment

To reflect the goals of Justice InDeed, the working group should, if possible: 1) center the voices and experiences of Black community members, and 2) seek to educate the neighborhood on the racist and harmful history of RRCs. Visit the Justice InDeed website for more information regarding Racially Restrictive Covenants.

Step Four: Fill Out the Communal Amendment Template

Fill out the Justice InDeed Communal Amendment for Property Owners Template to create the amendment document to repeal the racially restrictive covenant. Feel free to reference this model amendment to repeal a communal covenant when creating your amendment document.

You will need the Liber and Page Number of the RRC to fill out the template. To do so:

1. Find a house in the subdivision with a communal RRC on the Justice InDeed mapping website.
2. Click on the house.
3. Once your house is displayed on the mapping website, click on the link to the original document with the racially restrictive covenant.

4. The Liber and Page number will be stamped across the top. See an example here.

Step Five: Organize Community Members

Develop and deliver organizing materials to educate your neighborhood about the racist communal covenant and how to repeal it.

Developing Organizing Materials

Justice InDeed has created customizable templates for:

1. An organizing email to neighbors
2. A flyer to deliver to neighbors
3. An FAQ document specific to your neighborhood

Delivering Organizing Materials

1. Collect as many email addresses of your neighbors as you can
2. Send out the organizing email and attach the FAQ, flyer, and communal amendment
3. Go door-to-door to share printed materials and speak with neighbors about the repeal effort

Have Zoom and/or In-Person event(s)

1. Consider hosting at least one event to explain the reasons for the repeal effort and the process
2. Answer any questions and address any concerns that members of your community may have

Step Six: Host Signature Collection Event(s)

Next, host a signature collection event with at least one notary present.

Preparing for the Collection Event

- Print enough copies of the blank signature page for every lot in your neighborhood
- Pay attention to the percentage of property owners in the neighborhood required to modify the restrictions
- Find a notary to attend the event

Collecting the Signatures

- When signing the individual amendment, all signing property owners must show the notary a valid, government-issued ID
- If a home or lot has multiple owners, all owners must sign
- If a property is owned by a trust, all trustees must sign
- The total number of homeowners that are needed to sign will depend on the voting mechanism in your neighborhood's communal restriction

How Do I Find a Notary?

- Your bank likely has a notary public who will notarize your repeal document.
- Or find a notary at your local UPS store.

Step Seven: Submit the Amendment and Recording Fee to the Register of Deeds

Lastly, the repeal document with all the notarized signatures must be "recorded" with the Washtenaw County Register of Deeds. This can be done in-person, by mail, or via eRecording.

In-Person
Deliver the notarized individual amendment to the Washtenaw County Register of Deeds and pay the $30 recording fee via cash, check, or credit.

Mail
Mail the notarized individual amendment to the Washtenaw County Register of Deeds and pay the $30 recording fee via check only. You can also drop-off the amendment and $30 check at the drop-box outside the Register of Deeds.

eRecording
Submit the amendment and pay the recording fee via an approved eRecording vendor. Learn more about the eRecording process here.

Physical Address:
Washtenaw County Register of Deeds
200 N. Main Street, Suite 110
Ann Arbor, MI 48107

Mailing by U.S. Postal Service? Send to:
Washtenaw County Register of Deeds
PO Box 8645
Ann Arbor, MI 48107

Mailing via FedEx or UPS? Send to:
Washtenaw County Register of Deeds
200 N. Main Street, Suite 110
Ann Arbor, MI 48107

Drop-box located at:
Washtenaw County Register of Deeds
200 N. Main Street, Suite 110
Ann Arbor, MI 48107

Additional information about the recording process can be found on the Register of Deeds website.

Need Help?

Please contact us with questions on how to repeal a racially restrictive covenant at JusticeInDeedMI@umich.edu.