

Court of Appeals, State of Michigan

ORDER

Normandy Apartment Condominium Assn Inc v Bank of America NA

Docket No. 311735

LC No. 12-000178-CH

Michael J. Riordan
Presiding Judge

Kirsten Frank Kelly

Christopher M. Murray
Judges

The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED and the order granting summary disposition in favor of plaintiff is REVERSED.

The trial court erred in concluding that plaintiff's lien had priority over the interest of Bank of America, N.A. as assignee of the first mortgage. The first mortgage was recorded prior to plaintiff's lien and the assignment of the first mortgage to Bank of America, N.A. did not change the priority of the first mortgage over the condominium assessment lien as provided in MCL 559.208(1). As assignee of the first mortgage, Bank of America, N.A., succeeded to the first mortgagee's right of priority over plaintiff's later recorded lien. *Coventry Parkhomes Condo Ass'n v Fed Nat'l Mortgage Ass'n*, 298 Mich App 252; 827 NW2d 379 (2012).

We do not retain jurisdiction.



A true copy entered and certified by Angela P. DiSessa, Acting Chief Clerk, on

MAY 28 2013

Date

Angela P. DiSessa
Acting Chief Clerk