

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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NEW LIFE METRO MINISTRIES,

Petitioner-Appellee,

v

HURON CHARTER TOWNSHIP,

Respondent-Appellant.

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UNPUBLISHED  
February 23, 2006

No. 253882  
Michigan Construction Code  
Commission  
LC No. 04-000001

Before: Whitbeck, C.J., and Talbot and Murray, JJ.

MEMORANDUM.

In this case involving a dispute over building occupancy, respondent appeals as of right from the February 2, 2004, order of the Michigan Construction Code Commission (the “Commission”), which allows petitioner to amend a building permit. We dismiss the appeal.

The background to this case entails a long and tortured history. To summarize, petitioner began construction of a new 60,000-square-foot church facility in 2001. A dispute over finances between petitioner and the construction manager stalled the construction after only a portion of the project, a gymnasium and a classroom complex, had been completed. Despite not having a certificate of occupancy, petitioner’s congregation apparently began to occupy parts of the completed structure. On multiple occasions, respondent granted petitioners the temporary right to occupy the finished portions, but terminated the occupancy because of various issues and, ultimately, because the permit expired. Petitioner requested that respondent provide it with an occupancy permit for the gymnasium and building C under the “split occupancy provision of the code.” After respondent refused to grant occupancy, petitioner initiated a civil suit against respondent, seeking an order that compelled respondent to issue a split, permanent certificate of occupancy for the completed portions of the facility. The trial court dismissed petitioner’s complaint for lack of jurisdiction and because the parties were subject to the remedies provided in the State Construction Code Act (“SCCA”), MCL 125.2501 *et seq.* Nevertheless, the court prohibited petitioner from occupying or using the property except for its agents involved in construction or for sales purposes. Petitioner filed an appeal application with the Commission, requesting a split, permanent certificate of occupancy for the gymnasium and building C. The Commission agreed with respondent that a certificate of occupancy cannot be issued until all work described under the permit is completed. However, the Commission allowed petitioner to file an amendment to the building permit and revise its plans. The Commission ordered respondent to review and approve the amended plans on their compliance with the building code

and to issue a certificate of occupancy when the work was completed in accordance with the building code and applicable laws and ordinances.

On appeal, respondent contends that the Commission erred in concluding that neither respondent's local zoning ordinances nor the SCCA, applied to the present action. Respondent maintains that, because it is subject to the act and the code, the Commission was required to "honor" its local ordinances when deciding whether it properly denied petitioner's request for a certificate of occupancy.

"An issue is moot if an event has occurred that renders it impossible for the court, if it should decide in favor of the party, to grant relief." *City of Warren v Detroit*, 261 Mich App 165, 166 n 1; 680 NW2d 57 (2004), quoting *Michigan Nat'l Bank v St Paul Fire & Marine Ins Co*, 223 Mich App 19, 21; 566 NW2d 7 (1997). Because all of petitioner's rights to ownership of the real property at issue were conveyed to Platinum Realty Holdings, L.L.C., by quitclaim deeds executed on January 17, 2006, petitioner's interest in the property has been extinguished. See *Dep't of Natural Res v Carmody-Lahti Real Estate, Inc*, 472 Mich 359, 377-378; 699 NW2d 272 (2005) (stating that a quitclaim deed is, by definition, a deed conveying the grantor's complete interest or claim in real property). Accordingly, any ruling issued by the Court would provide no relief to either party because petitioner no longer owns the property. Thus, as respondent has argued, this matter is now moot.

Appeal dismissed.

/s/ William C. Whitbeck  
/s/ Michael J. Talbot  
/s/ Christopher M. Murray