

STATE OF MICHIGAN
COURT OF APPEALS

UNPUBLISHED
March 13, 2012

In the Matter of A. J. LARSON, Minor.

No. 305606
Delta Circuit Court
Family Division
LC No. 11-000627-NA

Before: METER, P.J., and FITZGERALD and MARKEY, JJ.

MEMORANDUM.

Respondent J. Larson appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(g), (j), and (l) or (m).¹ We affirm.

The trial court did not clearly err in finding that § 19b(3)(g) was established by clear and convincing legally admissible evidence. *In re Utrera*, 281 Mich App 1, 16-17; 761 NW2d 253 (2008); MCR 3.977(E)(3) and (K). The evidence showed that respondent's home was so unsanitary that it was an unfit place for a child to live. Respondent had been trying to address the condition of his home since the child's sibling entered foster care in 2010. Despite participation in services to address this issue, the condition of the home was never rectified, and respondent's parental rights to the child's sibling were ultimately terminated in April 2011. While respondent claimed to be compulsive about cleanliness, he admitted that the condition of the home after the birth of his second child, A.J., in June 2011 was essentially unchanged since April and was still unfit for a child. Given respondent's continued inability or unwillingness to provide a home that was fit for a child, the trial court did not clearly err in finding that there was no reasonable expectation that respondent would be able to provide proper care and custody within a reasonable time.

Because only one statutory ground for termination need be proven, *In re CR*, 250 Mich App 185, 207; 646 NW2d 506 (2002), it is unnecessary to consider the remaining statutory grounds for termination. Any error in relying on those additional grounds was harmless. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

¹ Although the parties and the trial court referred to § 19b(3)(m) at the termination hearing, petitioner asserts that the parties and the court were actually relying on § 19b(3)(l).

Further, considering respondent's inability or unwillingness to provide a safe and suitable home for a child and the absence of any bond between respondent and the child, the trial court did not clearly err in finding that termination of respondent's parental rights was in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich at 356-357.

Affirmed.

/s/ Patrick M. Meter
/s/ E. Thomas Fitzgerald
/s/ Jane E. Markey