

REFERENCE TITLE: condominiums; planned communities; rental properties

State of Arizona  
House of Representatives  
Fiftieth Legislature  
Second Regular Session  
2012

# HB 2513

Introduced by  
Representatives Urie: Brophy McGee, Carter

AN ACT

AMENDING TITLE 33, CHAPTER 9, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1260.01; AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1806.01; RELATING TO RENTAL PROPERTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 33, chapter 9, article 3, Arizona Revised Statutes,  
3 is amended by adding section 33-1260.01, to read:

4 33-1260.01. Rental property; unit owner, agent information;  
5 disclosure

6 A. UNLESS PROHIBITED IN THE CONDOMINIUM DOCUMENTS, A UNIT OWNER MAY  
7 USE THE UNIT OWNER'S UNIT AS A RENTAL PROPERTY.

8 B. A UNIT OWNER MAY MAKE A WRITTEN DESIGNATION OF A THIRD PARTY TO ACT  
9 AS THE UNIT OWNER'S AGENT WITH RESPECT TO ALL ASSOCIATION MATTERS RELATING TO  
10 THE RENTAL UNIT. THE UNIT OWNER SHALL PROVIDE THE ASSOCIATION A COPY OF THE  
11 WRITTEN DESIGNATION OF THE AGENT THAT SHALL BE SIGNED BY THE UNIT OWNER OF  
12 RECORD FOR THE RENTAL UNIT. ON DELIVERY OF THE WRITTEN DESIGNATION, THE  
13 ASSOCIATION IS AUTHORIZED TO CONDUCT ALL ASSOCIATION BUSINESS RELATING TO THE  
14 UNIT OWNER'S RENTAL UNIT THROUGH THE DESIGNATED AGENT. NOTICE BY THE  
15 ASSOCIATION TO A UNIT OWNER'S DESIGNATED AGENT ON ANY MATTER RELATING TO THE  
16 UNIT OWNER'S RENTAL UNIT CONSTITUTES NOTICE TO THE OWNER.

17 C. ON RENTAL OF A UNIT OWNER'S UNIT, THE UNIT OWNER OR UNIT OWNER'S  
18 AGENT SHALL PROVIDE THE ASSOCIATION THE NAME, AGE AND TELEPHONE NUMBER OF THE  
19 TENANTS OCCUPYING THE UNIT AND A DESCRIPTION AND LICENSE PLATE NUMBER OF THE  
20 TENANTS' VEHICLES. IF THE CONDOMINIUM IS AN AGE RESTRICTED CONDOMINIUM, THE  
21 UNIT OWNER, THE UNIT OWNER'S AGENT OR THE TENANT SHALL SHOW A GOVERNMENT  
22 ISSUED IDENTIFICATION THAT BEARS A PHOTOGRAPH AND THAT CONFIRMS THAT THE  
23 TENANT MEETS THE CONDOMINIUM'S AGE RESTRICTIONS OR REQUIREMENTS.

24 D. THE ASSOCIATION MAY CHARGE AN ADMINISTRATIVE FEE THAT IS LIMITED TO  
25 ONE PER CENT OF THE ANNUAL, REGULAR ASSESSMENT OF THE UNIT OR FIFTY DOLLARS,  
26 WHICHEVER IS GREATER. THE ADMINISTRATIVE FEE MAY BE CHARGED EACH YEAR OR A  
27 PORTION OF A YEAR THAT THE UNIT IS RENTED. EXCEPT FOR THE ADMINISTRATIVE FEE  
28 PERMITTED BY THIS SUBSECTION, THE ASSOCIATION SHALL NOT ASSESS, LEVY OR  
29 CHARGE A FEE OR FINE OR OTHERWISE IMPOSE A REQUIREMENT ON A UNIT OWNER'S  
30 RENTAL UNIT ANY DIFFERENTLY THAN AN OWNER-OCCUPIED UNIT IN THE ASSOCIATION.

31 E. NOTWITHSTANDING ANY PROVISION IN THE CONDOMINIUM DOCUMENTS, THE  
32 ASSOCIATION IS PROHIBITED FROM EITHER OF THE FOLLOWING:

33 1. REQUIRING A UNIT OWNER TO PROVIDE THE ASSOCIATION WITH A COPY OF  
34 THE TENANT'S RENTAL APPLICATION, CREDIT REPORT, LEASE AGREEMENT OR RENTAL  
35 CONTRACT OR OTHER PERSONAL INFORMATION REGARDING THE TENANT EXCEPT AS  
36 PRESCRIBED BY THIS SECTION. THIS PARAGRAPH DOES NOT PROHIBIT THE ASSOCIATION  
37 FROM ACQUIRING A CREDIT REPORT ON A PERSON IN AN ATTEMPT TO COLLECT A DEBT.

38 2. REQUIRING THE TENANT TO SIGN A WAIVER OR OTHER DOCUMENT LIMITING  
39 THE TENANT'S CIVIL RIGHTS OF DUE PROCESS AS A CONDITION OF THE TENANT'S  
40 OCCUPANCY OF THE RENTAL UNIT.

