



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR H.B. 2304

mobile home parks; tree maintenance

Purpose

Includes the maintenance of trees in a mobile home park landlord's obligation to maintain fit premises, unless otherwise specified in a rental agreement.

Background

A landlord and tenant must enter into a signed, written rental agreement at the beginning of the tenancy (A.R.S. § 33-1413). A landlord must adopt written rules or regulations regarding the tenant's use and occupancy of the premises to promote the convenience, safety or welfare of tenants, preserve property or upgrade the quality of the mobile home park. Rules or regulations adopted after the tenant enters into the rental agreement are unenforceable if they substantially modify the rental agreement (A.R.S. § 33-1452).

To maintain fit premises, the landlord of a mobile home park must: a) comply with all applicable city, county and state codes affecting health and safety; b) make repairs; c) keep common areas clean and safe; d) maintain swimming pool, shower, bathhouse, electrical, plumbing and sanitary facilities in good and safe working condition, including any recreational hall or meeting facilities supplied by the landlord; e) provide for garbage and waste removal; f) furnish outlets for electric, water and sewer services; and g) provide a statement of proposed utility service interruption within a reasonable time frame (A.R.S. § 33-1434).

A mobile home space tenant must: a) maintain the rented space in as good a condition as when the tenant took possession; b) comply with city, county and state codes affecting health and safety; c) keep their space as clean and safe as the premise permits; d) dispose garbage and waste cleanly and safely as prescribed by park rules; and e) neither deliberately or negligently damage nor remove any part of the premises (A.R.S. § 33-1451).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires mobile home park landlords to disclose to new tenants, in a written rental agreement executed or adopted after December 31, 2016, any requirement that the tenant maintain existing trees on the mobile home space.

2. Classifies, as a substantial modification of the rental agreement, any change to the tenant's obligation to maintain trees located on the mobile home space.
3. Designates as unenforceable, retroactive to May 31, 2016, a rule adopted after the execution of an initial rental agreement, if it imposes a reoccurring financial obligation to the tenant.
4. Makes technical changes.
5. Becomes effective on the general effective date, with a retroactive provision as noted.

Amendments Adopted by COW

1. Removes the requirement that mobile home park landlords disclose, in a written rental agreement executed or adopted before January 1, 2017, any requirement that the tenant maintain existing trees on the mobile home space.
2. Makes unenforceable a rule that imposes a reoccurring financial obligation to the tenant and that is adopted after the execution of an initial rental agreement.

House Action

COM            1/27/16    DP    7-1-0-0  
Third Read    2/09/16    DP    47-11-2-0

Senate Action

CWD            2/29/16    DP    5-3-1

Prepared by Senate Research

March 31, 2016

GH/LB/rf