START\_STATUTE33-1409.  Definitions

In this chapter unless the context otherwise requires:

1.  "Action" includes recoupment, counterclaim, setoff, suit in equity and any other proceeding in which rights are determined, including an action for possession.

2.  "Anniversary date" means an annual date applying to all tenants stated in the rental agreement on which the landlord may adjust the amount of rent.

3.  "Appurtenances" means awnings, sheds, porches and other attachments to the mobile home.

4.  "Building and housing codes" includes any law, ordinance or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy, use or appearance of any premises, dwelling unit or mobile home space.

5.  "Change in use" means either of the following:

(a)  A change in the use of land from the rental of mobile home spaces in a mobile home park to some other use.

(b)  The redevelopment of the mobile home park.

6.  "Compatible" means a mobile home that is in a similar condition as the majority of the other mobile homes in the mobile home park, as determined by the maintenance, condition and overall appearance of the mobile home.

7.  "Director" means the director of the Arizona department of housing.

8.  "Dwelling unit" excludes real property used to accommodate a mobile home.

9.  "Educational program" means a class, workshop or educational convention that primarily instructs attendees on issues dealing with the operation of a mobile home park and that is sponsored by a nonprofit organization whose sole or primary purpose is the advocacy and promotion of the rental mobile home parks industry.

10.  "Fund" means the mobile home relocation fund.

11.  "Good faith" means honesty in fact in the conduct or transaction concerned.

12.  "Guest" means a nonresident, over and above the occupancy limit set for the resident's space under the terms of the rental agreement or by park rules, of a mobile home park who stays at the home of a person with constructive possession of the home with the consent of the resident for one or more nights and not more than thirty days in any twelve-month period.

13.  "Landlord" means the owner, lessor, sublessor or operator, or any combination thereof, of a mobile home park and it also means a manager of the premises who fails to disclose as required by section 33‑1432.

14.  "Mobile home":

(a)  Means either of the following:

(i)  A residential structure that was manufactured on or before June 15, 1976, that is transportable in one or more sections, eight feet or more in body width, over thirty feet in body length with the hitch, built on an integral chassis, designed to be used as a dwelling when connected to the required utilities and not originally sold as a travel trailer or recreational vehicle and that includes the plumbing, heating, air conditioning and electrical systems in the structure.

(ii)  A manufactured home built after June 15, 1976, originally bearing an appropriate insignia of approval issued by the United States department of housing and urban development.

(b)  Does not include either of the following:

(i)  A recreational vehicle such as a motor home, camping trailer, van, fifth wheel trailer or other type of recreational vehicle.

(ii)  A structure known as a park model trailer that is a structure built on a single chassis, mounted on wheels and designed to be connected to the utilities necessary for the operation of installed fixtures and appliances and that has a gross interior area of not less than three hundred twenty square feet and not more than four hundred square feet when prepared for occupancy.

15.  "Mobile home park" means any parcel of land that contains four or more mobile home spaces.

16.  "Mobile home space" means a parcel of land for rent that has been designed to accommodate a mobile home and provide the required sewer and utility connections.

17.  "Moving expenses" means the cost incurred by the tenant whose mobile home is moved for taking down, transporting and setting up the mobile home with the identical, or substantially similar, improvements as were attached to the tenant's mobile home on the mobile home space from which it was removed but does not include the cost of landscaping or the cost of utility lines, trenching or utility connections located in excess of twenty‑five feet from the point of hookup on the mobile home.

18.  "Organization" includes a corporation, limited liability company, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest and any other legal or commercial entity that is a landlord, owner, manager or designated agent pursuant to section 33‑1432.

19.  "Owner":

(a)  Means one or more persons, jointly or severally, in whom is vested all or part of the legal title to property or all or part of the beneficial ownership and a right to present use and enjoyment of the premises.

(b)  Includes a mortgagee in possession.

20.  "Park manager" means the person who is primarily responsible for the day‑to‑day operation of a mobile home park.

21.  "Person" includes a company, partnership or firm as well as a natural person.

22.  "Premises" means the mobile home park and its existing facilities and appurtenances, including furniture and utilities where applicable, and grounds, areas and existing facilities held out for the use of tenants generally or whose use is promised to the tenant.

23.  "Prospective tenant" means a person who desires to become a tenant.

24.  "Redevelopment of the mobile home park" means that the spaces being redeveloped shall remain vacant for at least one hundred eighty days after the effective date of all change in use notices that are given to the tenants and either of the following applies:

(a)  A minimum of twenty‑five percent of the spaces in the park, in groups of at least five contiguous spaces, are being changed into an upgraded mobile home park.

(b)  A minimum of twenty‑five of the total number of spaces in the park, in groups of at least five contiguous spaces, are being changed into an upgraded mobile home park.

25.  "Rent" means payments to be made to the landlord or designated agent in full consideration for the rented premises.

26.  "Rental agreement" means leases or agreements and valid rules adopted under section 33‑1452 embodying the terms and conditions concerning the use and occupancy of a mobile home space and premises, and includes month‑to‑month tenancies that arise out of the expiration of a written rental agreement pursuant to section 33‑1413.

27.  "Resident" means a person entitled under a rental agreement to occupy a mobile home space to the exclusion of others and does not include a person rendering necessary care or services under section 33‑1413.03.

28.  "Security" or "security deposit" means any refundable money or property given to assure payment or performance under a rental agreement.

29.  "Tenant" means a person signing a rental agreement or otherwise agreeing with a landlord for the occupancy of a mobile home space.

30.  "Visitor" means a nonresident of a mobile home park who stays at the home of a resident with the consent of the resident but does not stay overnight. END\_STATUTE