

REFERENCE TITLE: foreclosed properties; homeowners' associations;
maintenance

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

HB 2136

Introduced by
Representatives Miranda C: Saldate

AN ACT

AMENDING TITLE 33, CHAPTER 9, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1262; AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1817; RELATING TO CONDOMINIUMS AND PLANNED COMMUNITIES.

(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 33-1262, to read:

4 33-1262. Maintenance of foreclosed properties; liability; lien

5 FOR ANY PROPERTY THAT IS OWNED BY A PERSON WHO WAS THE FORECLOSING
6 BENEFICIARY OF A DEED OF TRUST ON THE PROPERTY AND WHO ACQUIRED THE PROPERTY
7 AT A TRUSTEE'S SALE, THE FOLLOWING APPLY:

8 1. THE ASSOCIATION MAY INSPECT THE EXTERIOR OF THE PROPERTY AND, AFTER
9 NOTICE TO THE OWNER, MAY REMOVE RUBBISH, TRASH, WEEDS OR OTHER ACCUMULATION
10 OF FILTH AND DEBRIS AND MAY REPAIR DILAPIDATED STRUCTURES THAT CONSTITUTE A
11 HAZARD TO PUBLIC HEALTH AND SAFETY.

12 2. THE OWNER IS LIABLE TO THE ASSOCIATION FOR THE REASONABLE COSTS OF
13 THE REMOVAL OR REPAIR, AND THE ASSOCIATION MAY PLACE A LIEN ON THE PROPERTY
14 FOR THE COSTS REASONABLY INCURRED IN THE REMOVAL OR REPAIR AS OTHERWISE
15 PROVIDED BY LAW.

16 Sec. 2. Title 33, chapter 16, article 1, Arizona Revised Statutes, is
17 amended by adding section 33-1817, to read:

18 33-1817. Maintenance of foreclosed properties; liability; lien

19 FOR ANY PROPERTY THAT IS OWNED BY A PERSON WHO WAS THE FORECLOSING
20 BENEFICIARY OF A DEED OF TRUST ON THE PROPERTY AND WHO ACQUIRED THE PROPERTY
21 AT A TRUSTEE'S SALE, THE FOLLOWING APPLY:

22 1. THE ASSOCIATION MAY INSPECT THE EXTERIOR OF THE PROPERTY AND, AFTER
23 NOTICE TO THE OWNER, MAY REMOVE RUBBISH, TRASH, WEEDS OR OTHER ACCUMULATION
24 OF FILTH AND DEBRIS AND MAY REPAIR DILAPIDATED STRUCTURES THAT CONSTITUTE A
25 HAZARD TO PUBLIC HEALTH AND SAFETY.

26 2. THE OWNER IS LIABLE TO THE ASSOCIATION FOR THE REASONABLE COSTS OF
27 THE REMOVAL OR REPAIR, AND THE ASSOCIATION MAY PLACE A LIEN ON THE PROPERTY
28 FOR THE COSTS REASONABLY INCURRED IN THE REMOVAL OR REPAIR AS OTHERWISE
29 PROVIDED BY LAW.