Committee on Government and Environment

Senate Amendments to S.B. 1141

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

"Section 1. Title 33, chapter 6.1, article 1, Arizona Revised Statutes, is amended by adding section 33-814.01, to read:

33-814.01. Liability for deficiency on short sale under deed of trust; applicability

A. If trust property of two and one-half acres or less that is limited to and utilized for either a single one-family or a single two-family dwelling is sold, no action may be maintained to recover any difference between the amount obtained by sale and the amount of the indebtedness and any interest, costs and expenses if all of the following apply:

1. The property is sold in a transaction in which the beneficiary agrees to the sale of the secured property for an amount that does not satisfy the full indebtedness of the trustor under the deed of trust.

2. The transaction is not a trustee's sale.

B. This section applies to beneficiaries of first deeds of trust who have agreed to the sale and any junior lien holders who have agreed to the sale, and their successors and assigns."

18 Amend title to conform