

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

**CHAPTER 79**  
**HOUSE BILL 2168**

AN ACT

AMENDING SECTIONS 33-1476.01, 33-1476.04, 33-1476.05, 33-1485.01, 33-2101  
AND 33-2149, ARIZONA REVISED STATUTES; RELATING TO THE MOBILE HOME  
RELOCATION FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 33-1476.01, Arizona Revised Statutes, is amended  
3 to read:

4 **33-1476.01. Change in use: notices: compensation for moving**  
5 **expenses: payments by the landlord;**  
6 **applicability**

7 A. The landlord shall notify the director and all tenants in  
8 writing of a change in use at least one hundred eighty days before the  
9 change in use. The landlord may not increase rent within ninety days  
10 before giving notice of a change in use.

11 B. The landlord shall inform all tenants in writing about the  
12 mobile home relocation fund established by section 33-1476.02.

13 C. If a tenant is required to move due to a change in use or  
14 redevelopment of the mobile home park, the tenant may do any of the  
15 following:

16 1. Collect payment from the mobile home relocation fund for the  
17 lesser of the actual moving expenses of relocating the mobile home to a  
18 new location that is within a ~~fifty-mile~~ ONE HUNDRED-MILE radius of the  
19 vacated mobile home park or the maximum of seven thousand five hundred  
20 dollars for a single section mobile home or twelve thousand five hundred  
21 dollars for a multisecton mobile home. Moving expenses include the cost  
22 of stabilizing, taking down, moving and setting up the mobile home in the  
23 new location.

24 2. Abandon the mobile home in the mobile home park and collect an  
25 amount equal to one-fourth of the maximum allowable moving expense for  
26 that mobile home from the mobile home relocation fund. To qualify for  
27 abandonment payment pursuant to this paragraph, the tenant shall deliver  
28 to the landlord the current title to the mobile home with the notarized  
29 endorsement of the owner of record together with complete releases of all  
30 liens that are shown on the title and proof that all taxes owing on the  
31 mobile home have been paid to date. The tenant shall provide a copy of  
32 these documents to the Arizona department of housing in support of the  
33 tenant's application for payment. If the tenant chooses to abandon the  
34 mobile home pursuant to this paragraph, the landlord is exempt from making  
35 the payments to the fund prescribed in subsection D of this section.

36 3. If a mobile home is relocated to a location outside of the  
37 vacated mobile home park and, in the sole judgment of the director, the  
38 mobile home was ground set in the mobile home park from which it was  
39 removed, the tenant may collect additional monies not to exceed two  
40 thousand five hundred dollars for the incremental costs of removing a  
41 ~~ground-set~~ GROUND-SET mobile home. These monies are in addition to any  
42 monies provided pursuant to paragraph 1 of this subsection.

1       D. Except as provided in subsection C, paragraph 2 and subsection F  
2 of this section and section 33-1476.04, subsection D, if there is a change  
3 in use the landlord shall pay five hundred dollars for each single section  
4 mobile home and eight hundred dollars for each multisection mobile home  
5 relocated to the fund for each tenant filing for relocation assistance  
6 with the director.

7       E. If a change in use occurs before the time stated in the  
8 statements of policy and the landlord does not comply with subsection A of  
9 this section and with section 33-1436 and section 33-1476, subsection H,  
10 the landlord shall pay to the fund in addition to the monies prescribed in  
11 subsection D of this section:

12       1. Five hundred dollars for each mobile home space occupied by a  
13 single-section mobile home.

14       2. Eight hundred dollars for each mobile home space occupied by a  
15 multisection mobile home.

16       F. The landlord is not required to make the payments prescribed in  
17 subsections D and E of this section for moving mobile homes owned by the  
18 landlord or for moving a mobile home under a contract with the tenant if  
19 the tenant does not file for relocation assistance with the director.

20       G. If a change in use occurs within two hundred seventy days after  
21 relocations under section 33-1476.04, the landlord shall pay to the fund  
22 in addition to the monies prescribed in subsection D of this section:

23       1. Five hundred dollars for each mobile home space occupied by a  
24 single section mobile home.

25       2. Eight hundred dollars for each mobile home space occupied by a  
26 multisection mobile home.

27       H. The tenant shall submit a contract for relocation of a mobile  
28 home for approval to the director within sixty days after the relocation  
29 to be eligible for payment of relocation expenses. The director must  
30 approve or disapprove the contract within fifteen days after receipt of  
31 the contract, or the contract is deemed to be approved.

32       I. If the contract is approved, the payment of relocation expenses  
33 shall be made to the installer or contractor when both of the following  
34 ~~have been completed~~ ARE COMPLETE:

35       1. The installer or contractor ~~has obtained~~ OBTAINS valid permits  
36 to move the mobile or manufactured home to a new location.

37       2. The installer or contractor provides documentation to the  
38 department that the installation of the mobile or manufactured home at the  
39 new location is complete and has been inspected by the department or its  
40 designee and is approved for occupancy.

41       J. If the contract is not approved, the tenant may appeal to an  
42 administrative law judge pursuant to title 41, chapter 37, article 5. The  
43 tenant shall provide notice pursuant to section 33-1451, subsection A,  
44 paragraph 6 if the tenant relocates.

1       K. If this state or a political subdivision of this state exercises  
2 eminent domain and the mobile home park is sold or a sale is made to this  
3 state or a political subdivision of this state that intends to exercise  
4 eminent domain, the state or political subdivision is responsible for the  
5 relocation costs of the tenants.

6       L. If a tenant is vacating the premises and has informed the  
7 landlord or manager before the ~~change in use~~ CHANGE-IN-USE notice has been  
8 given, the tenant is not eligible for compensation under this section.

9       M. A person who purchases a mobile home already situated in a park  
10 or moves a mobile home into a park in which a ~~change in use~~ CHANGE-IN-USE  
11 notice has been given is not eligible for compensation under this section.

12      N. After delivery of the one hundred eighty-day notice prescribed  
13 by subsection A of this section, the landlord and the tenants shall inform  
14 any prospective buyer or tenant that closure of the park is pending.

15      O. This section does not apply to a change in use if the landlord  
16 moves a tenant to another space in the mobile home park at the landlord's  
17 expense.

18      Sec. 2. Section 33-1476.04, Arizona Revised Statutes, is amended to  
19 read:

20      33-1476.04. Relocations due to rent increase; mobile home  
21 relocation fund: applicability

22      A. A tenant is eligible for payment from the mobile home relocation  
23 fund if all of the following conditions are met:

24       1. The tenant resides in a mobile home that is owned by the tenant  
25 and that is located in a mobile home park.

26       2. A rent increase will be effective at the expiration or renewal  
27 of the tenant's rental agreement.

28       3. The rent increase either singly or in combination during any  
29 consecutive twelve-month period is more than a total of ten percent plus  
30 the current increase in the consumer price index over the most recent  
31 one-year period before the date of the notice of the rent increase. For  
32 the purposes of this paragraph, "consumer price index" means the "west-A"  
33 index that is published by the United States department of labor, bureau  
34 of labor statistics, and that demonstrates changes in prices in certain  
35 cities in the western United States.

36      B. A landlord who increases rent as prescribed by subsection A of  
37 this section shall give written notice of the applicability of this  
38 section to all affected tenants.

39      C. A tenant is eligible to receive relocation expenses pursuant to  
40 subsection A of this section as follows:

41       1. At least thirty days before the effective date of the rent  
42 increase that exceeds the limits prescribed by subsection A of this  
43 section, the tenant shall submit a contract for relocation of the mobile  
44 home to the director for approval and to the landlord.

1       2. Before the effective date of the rent increase, the tenant shall  
2 have a fully signed contract with a licensed installer or contractor to  
3 move the mobile home to a specific location by a specific date and must  
4 have moved the mobile home pursuant to that contract within forty-five  
5 days after the effective date of the rent increase.

6       3. The director shall approve or disapprove the contract submitted  
7 within fifteen days after receipt of the contract, and the contract is  
8 deemed to be approved on the sixteenth day if the director takes no  
9 action.

10      4. If the contract is approved, the payment of relocation expenses  
11 shall be made to the installer or contractor when both of the following  
12 ~~have been completed~~ ARE COMPLETE:

13       (a) The installer or contractor ~~has obtained~~ OBTAINS valid permits  
14 to move the mobile or manufactured home to a new location.

15       (b) The installer or contractor provides documentation to the  
16 department that the installation of the mobile or manufactured home at the  
17 new location is complete and has been inspected by the department or its  
18 designee and is approved for occupancy.

19      5. If the contract is not approved, the tenant may appeal to an  
20 administrative law judge pursuant to title 41, chapter 37, article 5. The  
21 tenant shall provide notice pursuant to section 33-1451, subsection A,  
22 paragraph 6 if the tenant relocates.

23      6. On approval, the tenant is eligible for the lesser of the actual  
24 moving expenses of relocating the mobile home or ~~five~~ SEVEN thousand **FIVE**  
25 **HUNDRED** dollars for a single-section mobile home or ~~ten~~ **TWELVE** thousand  
26 **FIVE HUNDRED** dollars for a multisecton mobile home. Compensable moving  
27 expenses include the cost of taking down, moving and setting up the mobile  
28 home in the new location if the mobile home is relocated to a residential  
29 location within a one hundred-mile radius of the vacated mobile home park.

30       D. As an alternative to receiving payment as prescribed in  
31 subsection C of this section, a tenant who is eligible to receive payment  
32 pursuant to subsection A of this section may abandon the mobile home in  
33 the mobile home park and collect an amount equal to one-fourth of the  
34 maximum allowable moving expense for that mobile home from the mobile home  
35 relocation fund. To qualify for an abandonment payment pursuant to this  
36 subsection, the tenant shall deliver to the landlord the current title to  
37 the mobile home with the notarized endorsement of the owner of record  
38 together with complete releases of all liens that are shown on the title  
39 and proof that all taxes owing on the mobile home have been paid to date.  
40 The tenant shall provide a copy of these documents to the Arizona  
41 department of housing in support of the tenant's application for payment.  
42 If the tenant chooses to abandon the mobile home pursuant to this  
43 subsection, the landlord is exempt from making the payments to the fund  
44 prescribed in section 33-1476.01, subsection D.

1       E. This section does not apply to rent increases that are  
2 prescribed in a written rental agreement.

3       F. ~~Nothing in~~ This section ~~shall be construed to~~ DOES NOT make any  
4 rent increase unreasonable.

5       Sec. 3. Section 33-1476.05, Arizona Revised Statutes, is amended to  
6 read:

7       33-1476.05. Relocations due to change in age-restricted  
8                   community use; payment from mobile home  
9                   relocation fund; applicability

10      A. The landlord shall notify the director and all tenants in  
11 writing of a change in use at least sixty days before a change in the ~~age~~  
12 ~~restricted~~ AGE-RESTRICTED community to an ~~all age~~ ALL-AGE community use as  
13 defined by the housing for older persons act of 1995.

14      B. A tenant is eligible for payment from the mobile home relocation  
15 fund if both of the following conditions are met:

16       1. The tenant resides in a mobile home or manufactured home that is  
17 owned by the tenant and that is located in an ~~age restricted~~  
18 AGE-RESTRICTED mobile home park.

19       2. The landlord implements a change from an ~~age restricted~~  
20 AGE-RESTRICTED community to an ~~all age~~ ALL-AGE community as defined by the  
21 housing for older persons act of 1995.

22      C. A landlord who changes a mobile home park designation from an  
23 ~~age restricted~~ AGE-RESTRICTED community shall give written notice of the  
24 applicability of this section to all affected tenants.

25      D. A tenant is eligible to receive relocation expenses pursuant to  
26 subsection B of this section as follows:

27       1. Within one hundred eighty days after the effective date of  
28 notification of the change in the ~~age restricted~~ AGE-RESTRICTED  
29 community's use, the tenant shall submit a contract for relocation of the  
30 mobile or manufactured home to the director for approval and to the  
31 landlord.

32       2. After notice of approval by the director for the payment of  
33 relocation expenses, the tenant shall have a fully signed contract with a  
34 licensed installer or contractor to move the mobile or manufactured home  
35 to a specific location by a specific date and must have moved the mobile  
36 or manufactured home pursuant to that contract within forty-five days  
37 after notice from the director.

38       3. The director shall approve or disapprove the contract submitted  
39 within fifteen days after receipt of the contract, and the contract is  
40 deemed to be approved on the sixteenth day if the director takes no  
41 action.

42       4. If the contract is approved, the payment of relocation expenses  
43 shall be made to the installer or contractor when both of the following  
~~have been completed~~ ARE COMPLETE:

1       (a) The installer or contractor ~~has obtained~~ OBTAINS valid permits  
2 to move the mobile or manufactured home to a new location.

3       (b) The installer or contractor provides documentation to the  
4 department that the installation of the mobile or manufactured home at the  
5 new location is complete and has been inspected by the department or its  
6 designee and is approved for occupancy.

7       5. If the contract is not approved, the tenant may appeal to an  
8 administrative law judge pursuant to title 41, chapter 37, article 5. The  
9 tenant shall provide notice pursuant to section 33-1451, subsection A,  
10 paragraph 6 if the tenant relocates.

11       6. On approval, the tenant is eligible for the lesser of the actual  
12 moving expenses of relocating the mobile home or ~~five~~ SEVEN thousand **FIVE**  
13 **HUNDRED** dollars for a single-section mobile home or ~~ten~~ **TWELVE** thousand  
14 **FIVE HUNDRED** dollars for a multisecton mobile home. Compensable moving  
15 expenses include the cost of taking down, moving and setting up the mobile  
16 home in the new location if the mobile home is relocated to another ~~age~~  
17 ~~restricted~~ AGE-RESTRICTED community within a one hundred-mile radius of  
18 the vacated mobile home park.

19       E. The landlord shall not be responsible for making any payment  
20 into the mobile home relocation fund for any mobile or manufactured home  
21 moved pursuant to this section.

22       Sec. 4. Section 33-1485.01, Arizona Revised Statutes, is amended to  
23 read:

24       33-1485.01. Removal of mobile home from mobile home park:  
25                    violation; joint and several liability

26       A. A tenant or a tenant's successor in interest shall provide the  
27 landlord with a written notification of intent to remove a mobile home  
28 from a mobile home space. The notification shall include the date the  
29 mobile home will be removed from the mobile home park, the name, address  
30 and telephone number of the person or entity that will be removing the  
31 mobile home from the mobile home park and the name, address and telephone  
32 number of the person or entity that will be the responsible party for  
33 restoring the mobile home space in accordance with the rental agreement  
34 and the mobile home park rules and regulations. If the responsible party  
35 is not licensed by the Arizona department of housing or the registrar of  
36 contractors, the landlord may require a security deposit or surety bond of  
37 not more than ~~one~~ **TWO** thousand **FIVE HUNDRED** dollars minus the amount of  
38 any security deposit that was collected at the beginning of the tenant's  
39 tenancy. The security deposit or surety bond shall be paid or provided  
40 before work begins on restoring the mobile home space and shall secure the  
41 cost of restoration if the responsible party fails to completely restore  
42 the mobile home space. The landlord shall provide an accounting of any  
43 security deposit as prescribed in section 33-1431, subsection C.

1       B. A mobile home shall not be removed from a mobile home park by  
2 any tenant, any mobile home owner or any other person or entity unless the  
3 person or entity that is removing the mobile home has received from the  
4 landlord a written clearance for removal. The landlord shall not  
5 interfere with the removal of a mobile home for any reason other than  
6 nonpayment of monies due as of the date of removal even if the term of the  
7 rental agreement has not expired. The written clearance shall contain  
8 both of the following:

9       1. A statement that all monies due for space rent as of the date of  
10 removal have been paid or that the landlord and that person or entity have  
11 otherwise agreed to the removal.

12       2. The requirements for a mobile home space restoration as  
13 prescribed by the rental agreement and by the mobile home park rules and  
14 regulations and that shall be performed by the responsible party listed in  
15 the removal notification that is required by subsection A of this section.

16       C. A person or entity who violates subsection B of this section  
17 shall be liable for two times the amount of any rents due.

18       D. The responsible party identified in the removal notification  
19 that is removing a mobile home from a mobile home space shall also remove  
20 all accessory structures unless the landlord has agreed in writing to  
21 allow those structures to remain. The responsible party identified in the  
22 removal notification that is removing the mobile home shall also remove  
23 all construction debris, trash and personal property on the rental space  
24 from the mobile home park and shall be responsible for restoring the space  
25 in accordance with the rental agreement and the mobile home park rules and  
26 regulations. The rules and regulations may contain conditions regarding  
27 the removal of a mobile home from the mobile home park and the restoration  
28 of a mobile home space by a tenant or a tenant's successor in interest  
29 after removal of the mobile home. The conditions shall not include any  
30 provisions regarding environmental liability or environmental remediation,  
31 and any environmental liability or environmental remediation requirements  
32 shall be governed as otherwise provided by law. If a rental space does  
33 not satisfy the requirements of this section following removal of a mobile  
34 home, the landlord may provide the last tenant, the tenant's successor in  
35 interest or the mobile home owner and the responsible party identified in  
36 the removal notification with written notice that specifies what must be  
37 done to bring the space into compliance and that requests that the parties  
38 remedy the condition within ten days. If the work is not completed within  
39 ten days, the landlord may cause the work to be done and shall prepare an  
40 itemized bill for the actual and reasonable cost or the fair and  
41 reasonable value of the work and submit it to the last tenant, the  
42 tenant's successor in interest or the mobile home owner and the  
43 responsible party identified in the removal notification. All of those  
44 persons shall be jointly and severally liable for the expenses.

1 Sec. 5. Section 33-2101, Arizona Revised Statutes, is amended to  
2 read:

3 33-2101. Application; duration of stay; exclusions; notice  
4 and pleading requirements

5 A. This chapter applies to, regulates and determines rights,  
6 obligations and remedies for a recreational vehicle space **THAT IS** rented  
7 in a recreational vehicle park or mobile home park by the same tenant  
8 under a rental agreement for more than one hundred eighty consecutive  
9 days. **FOR A PARK MODEL OR PARK TRAILER THAT IS LOCATED IN A RECREATIONAL  
10 VEHICLE PARK OR MOBILE HOME PARK, THIS CHAPTER APPLIES IF THE SPACE IS  
11 RENTED BY THE SAME TENANT FOR MORE THAN ONE HUNDRED EIGHTY CONSECUTIVE  
12 DAYS WITHOUT REGARD TO WHETHER A RENTAL AGREEMENT IS EXECUTED.**

13 B. This chapter does not apply to mobile homes, manufactured homes  
14 and factory-built buildings or to a property with one or two recreational  
15 vehicle rental spaces.

16 C. Notwithstanding any other law, an agency of this state and an  
17 individual court may not adopt or enforce a rule or policy that requires a  
18 mandatory or technical form for providing notice or for pleadings in an  
19 action for forcible entry or forcible or special detainer. The form of  
20 any notice or pleading that meets statutory requirements for content and  
21 formatting of a notice or pleading is sufficient to provide notice and to  
22 pursue an action for forcible entry or forcible or special detainer.

23 Sec. 6. Section 33-2149, Arizona Revised Statutes, is amended to  
24 read:

25 33-2149. Change in use; notices; compensation for moving  
26 expenses; payments by the landlord; applicability

27 For recreational vehicles that are park trailers or park models  
28 only:

29 1. The landlord shall notify the director and all tenants in  
30 writing of a change in use at least one hundred eighty days before the  
31 change in use. The landlord may not increase rent within ninety days  
32 before giving notice of a change in use.

33 2. The landlord shall inform all tenants in writing about the  
34 mobile home relocation fund established by section 33-1476.02.

35 3. If a tenant is required to move due to a change in use or  
36 redevelopment of the park, the tenant may do any of the following:

37 (a) Collect payment from the mobile home relocation fund for the  
38 lesser of the actual moving expenses of relocating the park trailer or  
39 park model to a new location that is within a ~~fifty-mile~~ **ONE HUNDRED-MILE**  
40 radius of the vacated park or the maximum of four thousand dollars.  
41 Moving expenses include the cost of stabilizing, taking down, moving and  
42 setting up the park trailer or park model in the new location.

43 (b) Abandon the park trailer or park model in the park and collect  
44 an amount equal to one-fourth of the maximum allowable moving expense for  
45 that park trailer or park model from the mobile home relocation fund. To

1 qualify for abandonment payment pursuant to this subdivision, the tenant  
2 shall deliver to the landlord the current title to the park trailer or  
3 park model with the notarized endorsement of the owner of record together  
4 with complete releases of all liens that are shown on the title and proof  
5 that all taxes owing have been paid to date. The tenant shall provide a  
6 copy of these documents to the Arizona department of housing in support of  
7 the tenant's application for payment. If the tenant chooses to abandon  
8 the park trailer or park model pursuant to this subdivision, the landlord  
9 is exempt from making the payments to the fund prescribed in paragraph 4  
10 of this section.

11 (c) If a park trailer or park model is relocated to a location  
12 outside of the vacated park and, in the sole judgment of the director, the  
13 park trailer or park model was ground set in the park from which it was  
14 removed, the tenant may collect additional monies not to exceed two  
15 thousand five hundred dollars for the incremental costs of removing a  
16 ~~ground-set~~ GROUND-SET park trailer or park model. These monies are in  
17 addition to any monies provided pursuant to subdivision (a) of this  
18 paragraph.

19 4. Except as provided in paragraph 3, subdivision (b) and paragraph  
20 6 of this section, if there is a change in use the landlord shall pay two  
21 hundred fifty dollars for each park trailer or park model relocated to the  
22 fund for each tenant filing for relocation assistance with the director.

23 5. If a change in use occurs and the landlord does not comply with  
24 paragraph 1 of this section, the landlord shall pay to the fund in  
25 addition to the monies prescribed in paragraph 4 of this section two  
26 hundred fifty dollars for each space occupied by a park trailer or park  
27 model.

28 6. The landlord is not required to make the payments prescribed in  
29 paragraphs 4 and 5 of this section for moving a park trailer or park model  
30 owned by the landlord or for moving a park trailer or park model under a  
31 contract with the tenant if the tenant does not file for relocation  
32 assistance with the director.

33 7. The tenant shall submit a contract for relocation of a park  
34 trailer or park model for approval to the director within sixty days after  
35 the relocation to be eligible for payment of relocation expenses. The  
36 director must approve or disapprove the contract within fifteen days after  
37 receipt of the contract, or the contract is deemed to be approved.

38 8. If the contract is approved, the payment of relocation expenses  
39 shall be made to the installer or contractor when both of the following  
40 ~~have been completed~~ ARE COMPLETE:

41 (a) The installer or contractor ~~has obtained~~ OBTAINS valid permits  
42 to move the park trailer or park model to a new location.

5       9. If the contract is not approved, the tenant may appeal to an  
6 administrative law judge pursuant to title 41, chapter 37, article 5. The  
7 tenant shall provide notice pursuant to section 33-2105, subsection I, if  
8 the tenant relocates.

9           10. If this state or a political subdivision of this state  
10 exercises eminent domain and the park is sold or a sale is made to this  
11 state or a political subdivision of this state that intends to exercise  
12 eminent domain, the state or political subdivision is responsible for the  
13 relocation costs of the tenants.

14           11. If a tenant is vacating the premises and has informed the  
15 landlord or manager before the ~~change in use~~ CHANGE-IN-USE notice has been  
16 given, the tenant is not eligible for compensation under this section.

17           12. A person who purchases a park trailer or park model already  
18 situated in a park or moves a park trailer or park model into a park in  
19 which a ~~change in use~~ CHANGE-IN-USE notice has been given is not eligible  
20 for compensation under this section.

21           13. This section does not apply to a change in use if the landlord  
22 moves a tenant to another space in the park at the landlord's expense.

APPROVED BY THE GOVERNOR MARCH 27, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2018.