

REFERENCE TITLE: rent increase; limitation; substantial remodel

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2161

Introduced by

Representatives Schwiebert: Aguilar, Cano, Contreras L, Contreras P, De
Los Santos, Gutierrez, Hernandez L, Hernandez M, Mathis, Ortiz, Peshlakai,
Quiñonez, Seaman, Stahl Hamilton, Senator Epstein

AN ACT

AMENDING TITLE 33, CHAPTER 10, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 33-1329.01; RELATING TO THE ARIZONA RESIDENTIAL LANDLORD
AND TENANT ACT.

(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 10, article 2, Arizona Revised
3 Statutes, is amended by adding section 33-1329.01, to read:
4 33-1329.01. Rent increase limit; exception; definition
5 A. A LANDLORD, IN A TWELVE-MONTH PERIOD, MAY NOT INCREASE THE RENT
6 FOR A DWELLING UNIT MORE THAN FIVE PERCENT PLUS THE PERCENTAGE CHANGE IN
7 THE COST OF LIVING OR TEN PERCENT, WHICHEVER IS LESS. THE PERCENTAGE
8 INCREASE LIMIT IS BASED ON THE LOWEST RENT CHARGED FOR THE DWELLING UNIT
9 AT ANY TIME DURING THE TWELVE MONTHS BEFORE THE INCREASE.
10 B. THIS SECTION DOES NOT APPLY IF A DWELLING UNIT IS SUBSTANTIALLY
11 REMODELED.
12 C. FOR THE PURPOSES OF THIS SECTION, "SUBSTANTIALLY REMODELED":
13 1. MEANS EITHER:
14 (a) THE REPLACEMENT OR SUBSTANTIAL MODIFICATION OF ANY STRUCTURAL,
15 ELECTRICAL, PLUMBING OR MECHANICAL SYSTEM THAT REQUIRES A PERMIT FROM A
16 GOVERNMENTAL AGENCY.
17 (b) THE ABATEMENT OF HAZARDOUS MATERIALS, INCLUDING LEAD-BASED
18 PAINT, MOLD OR ASBESTOS, THAT REQUIRES THE TENANT TO VACATE THE DWELLING
19 UNIT FOR AT LEAST THIRTY DAYS AND THAT MUST BE REASONABLY AND SAFELY
20 COMPLETED ACCORDING TO FEDERAL, STATE OR LOCAL LAWS.
21 2. DOES NOT INCLUDE COSMETIC IMPROVEMENTS ALONE, INCLUDING
22 PAINTING, DECORATING AND MINOR REPAIRS OR OTHER WORK THAT CAN BE PERFORMED
23 SAFELY WITHOUT VACATING THE DWELLING UNIT.