

REFERENCE TITLE: landlord tenant; assistance animals

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2068

Introduced by
Representative Kupper

AN ACT

AMENDING TITLE 33, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 33-1320; 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 1, Arizona Revised
3 Statutes, is amended by adding section 33-1320, to read:

4 33-1320. Assistance animals; reasonable accommodation;
5 reliable documentation; definitions

6 A. UNLESS OTHERWISE PROHIBITED BY FEDERAL LAW, RULE OR REGULATION,
7 IF A TENANT REQUESTS AN ACCOMMODATION RELATED TO AN ASSISTANCE ANIMAL, A
8 LANDLORD MAY DO ANY OF THE FOLLOWING:

9 1. REQUIRE THE PERSON WHO REQUESTS THE ACCOMMODATION TO PROVIDE
10 RELIABLE DOCUMENTATION OF THE DISABILITY AND THE DISABILITY-RELATED NEED
11 FOR AN ASSISTANCE ANIMAL AS PRESCRIBED BY SUBSECTION B OF THIS SECTION
12 ONLY IF THE DISABILITY OR THE DISABILITY-RELATED NEED EITHER IS NOT
13 READILY APPARENT OR IS NOT KNOWN TO THE LANDLORD.

14 2. REQUEST THAT THE PERSON SUBMIT INFORMATION ON A STANDARDIZED
15 FORM IF THE INFORMATION REQUESTED COMPLIES WITH SUBSECTION B OF THIS
16 SECTION. FAILURE TO USE THE STANDARDIZED FORM DOES NOT CONSTITUTE GROUNDS
17 FOR DENIAL IF THE INFORMATION PROVIDED TO THE LANDLORD COMPLIES WITH
18 SUBSECTION B OF THIS SECTION.

19 3. REQUIRE RELIABLE DOCUMENTATION AS PRESCRIBED BY SUBSECTION B OF
20 THIS SECTION FOR EACH ASSISTANCE ANIMAL IF THERE IS MORE THAN ONE.

21 4. DENY OR RESCIND AN ACCOMMODATION FOR AN ASSISTANCE ANIMAL IF:

22 (a) THE REQUESTED ACCOMMODATION IMPOSES AN UNDUE FINANCIAL OR
23 ADMINISTRATIVE BURDEN ON THE LANDLORD OR FUNDAMENTALLY ALTERS THE NATURE
24 OF THE LANDLORD'S OPERATIONS OR THE SERVICES OFFERED.

25 (b) RELIABLE EVIDENCE DEMONSTRATES THAT THE ASSISTANCE ANIMAL:

26 (i) POSES A DIRECT THREAT TO THE HEALTH OR SAFETY OF OTHERS THAT
27 CANNOT BE MITIGATED BY ANY OTHER REASONABLE ACCOMMODATION.

28 (ii) MAY CAUSE SUBSTANTIAL PHYSICAL DAMAGE TO THE PREMISES OR THE
29 PROPERTY OF OTHER TENANTS THAT CANNOT BE MITIGATED BY ANY OTHER REASONABLE
30 ACCOMMODATION.

31 (iii) EXHIBITS UNCONTROLLED BEHAVIOR THAT THE TENANT HAS FAILED TO
32 ADEQUATELY ADDRESS.

33 B. A PERSON REQUESTING AN ACCOMMODATION SHALL SUBMIT RELIABLE
34 DOCUMENTATION ESTABLISHING THAT THE PERSON HAS A DISABILITY AND REQUIRES
35 THE USE OF AN ASSISTANCE ANIMAL AS A REASONABLE ACCOMMODATION UNDER THE
36 FAIR HOUSING ACT (P.L. 90-284; 82 STAT. 81; 42 UNITED STATES CODE SECTIONS
37 3601 THROUGH 3619) OR TITLE 41, CHAPTER 9, ARTICLE 7. THE RELIABLE
38 DOCUMENTATION SHALL BE IN WRITING AND SHALL DESCRIBE THE REQUESTING
39 PERSON'S DISABILITY-RELATED NEED FOR THE ASSISTANCE ANIMAL.

40 C. NOTWITHSTANDING ANY OTHER LAW, A LANDLORD IS NOT LIABLE FOR
41 INJURIES CAUSED BY AN ASSISTANCE ANIMAL THAT IS ALLOWED AS A REASONABLE
42 ACCOMMODATION ON THE LANDLORD'S PROPERTY OR WITHIN PROPERTY CONTROLLED BY
43 THE LANDLORD.

1 D. FOR THE PURPOSES OF THIS SECTION:

2 1. "ASSISTANCE ANIMAL":

3 (a) MEANS AN ANIMAL, OTHER THAN A SERVICE ANIMAL, THAT QUALIFIES AS
4 A REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT (P.L. 90-284; 82
5 STAT. 81; 42 UNITED STATES CODE SECTIONS 3601 THROUGH 3619) OR SECTION 504
6 OF THE REHABILITATION ACT OF 1973 (P.L. 93-112; 87 STAT. 355; 29 UNITED
7 STATES CODE SECTION 794).

8 (b) INCLUDES AN EMOTIONAL SUPPORT ANIMAL IF THE ANIMAL QUALIFIES AS
9 A REASONABLE ACCOMMODATION.

10 2. "DISABILITY" HAS THE SAME MEANING PRESCRIBED IN SECTION 41-1492.

11 3. "REASONABLE ACCOMMODATION" MEANS ANY CHANGE, WAIVER OR EXCEPTION
12 TO HOUSING POLICIES AS DEFINED UNDER THE FAIR HOUSING ACT AND THAT IS MADE
13 TO ACCOMMODATE THE DISABILITY-RELATED NEEDS OF A TENANT.