

REFERENCE TITLE: eviction limit; heat; temperature settings

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1544

Introduced by
Senators Kuby; Ortiz; Representatives Liguori, Márquez, Sandoval

AN ACT

AMENDING SECTION 33-1324, ARIZONA REVISED STATUTES; AMENDING TITLE 33, CHAPTER 10, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1379.01; 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. Section 33-1324, Arizona Revised Statutes, is amended to
3 read:

4 33-1324. Landlord to maintain fit premises

5 A. The landlord shall:

6 1. Comply with the requirements of applicable building codes
7 materially affecting health and safety as prescribed in section 9-1303.

8 2. Make all repairs and do whatever is necessary to put and keep
9 the premises in a fit and habitable condition.

10 3. Keep all common areas of the premises in a clean and safe
11 condition.

12 4. Maintain in good and safe working order and condition all
13 electrical, plumbing, sanitary, heating, ventilating, air-conditioning and
14 other facilities and appliances, including elevators, supplied or required
15 to be supplied by ~~him~~ THE LANDLORD.

16 5. Provide and maintain appropriate receptacles and conveniences
17 for the removal of ashes, garbage, rubbish and other waste incidental to
18 the occupancy of the dwelling unit and arrange for their removal.

19 6. Supply running water and reasonable amounts of hot water at all
20 times, reasonable heat and reasonable air-conditioning or cooling where
21 such units are installed and offered, when required by seasonal weather
22 conditions, except where the building that includes the dwelling unit is
23 not required by law to be equipped for that purpose or the dwelling unit
24 is so constructed that heat, air-conditioning, cooling or hot water is
25 generated by an installation within the exclusive control of the tenant
26 and supplied by a direct public utility connection. ~~WHEN SEASONAL WEATHER~~
27 ~~CONDITIONS REASONABLY REQUIRE AIR-CONDITIONING, A LANDLORD MAY NOT REQUIRE~~
28 ~~THAT AIR-CONDITIONING BE SET AND MAY NOT SET THE AIR-CONDITIONING TO~~
29 ~~PROVIDE FOR ANY TEMPERATURE THAT IS HIGHER THAN EIGHTY-TWO DEGREES.~~

30 B. If the duty imposed by subsection A, paragraph 1 of this section
31 is greater than any duty imposed by any other paragraph of this section,
32 the landlord's duty shall be determined by reference to that paragraph.

33 C. The landlord and tenant of a ~~single-family~~ SINGLE-FAMILY
34 residence may agree in writing, supported by adequate consideration, that
35 the tenant perform the landlord's duties specified in subsection A,
36 paragraphs 5 and 6 of this section, and also specified repairs,
37 maintenance tasks, alterations and remodeling, but only if the transaction
38 is entered into in good faith, not for the purpose of evading the
39 obligations of the landlord and the work is not necessary to cure
40 noncompliance with subsection A, paragraphs 1 and 2 of this section.

41 D. The landlord and tenant of any dwelling unit other than a ~~single~~
42 ~~family~~ SINGLE-FAMILY residence may agree that the tenant is to perform
43 specified repairs, maintenance tasks, alterations or remodeling only if:

44 1. The agreement of the parties is entered into in good faith and
45 not for the purpose of evading the obligations of the landlord and is set

1 forth in a separate writing signed by the parties and supported by
2 adequate consideration.

3 2. The work is not necessary to cure noncompliance with subsection
4 A, paragraphs 1 and 2 of this section.

5 3. The agreement does not diminish or affect the obligation of the
6 landlord to other tenants in the premises.

7 Sec. 2. Title 33, chapter 10, article 4, Arizona Revised Statutes,
8 is amended by adding section 33-1379.01, to read:

9 33-1379.01. Eviction prohibition; high heat periods

10 A LANDLORD MAY NOT ATTEMPT TO EVICT A TENANT PURSUANT TO SECTION
11 33-1368 OR 33-1377 OR PURSUANT TO A FORCIBLE ENTRY AND DETAINER ACTION OR
12 IN ANY OTHER MANNER DURING ANY WEEK IN WHICH THE OUTDOOR TEMPERATURE
13 REACHES NINETY DEGREES OR HIGHER DURING TWO OR MORE DAYS IN THAT WEEK.