

REFERENCE TITLE: landlord tenant act; application fees

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2243

Introduced by
Representative Blackman

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. Landlord rental application fees; disclosure;
5 limitations; liability; definition

6 A. BEFORE REQUESTING A RENTAL APPLICATION FEE OR SCREENING
7 INFORMATION FROM A PROSPECTIVE TENANT, A LANDLORD SHALL DISCLOSE IN
8 WRITING TO THE PROSPECTIVE TENANT THE FOLLOWING INFORMATION:

9 1. THE AMOUNT AND PURPOSE OF ANY RENTAL APPLICATION FEE, INCLUDING
10 A DISCLOSURE OF THE LANDLORD'S ANTICIPATED EXPENSES FOR WHICH THE FEE WILL
11 BE USED, OR AN ITEMIZATION OF THE LANDLORD'S ACTUAL EXPENSES INCURRED.

12 2. THE TYPES OF INFORMATION THAT WILL BE ACCESSED TO CONDUCT A
13 TENANT SCREENING, INCLUDING THE NAME OF ANY CREDIT OR CONSUMER REPORTING
14 AGENCY THAT WILL BE CONTACTED.

15 3. ANY SPECIFIC CRITERIA THAT WILL RESULT IN AN AUTOMATIC DENIAL OF
16 THE PROSPECTIVE TENANT'S RENTAL APPLICATION.

17 B. A LANDLORD MAY NOT CHARGE A PROSPECTIVE TENANT A RENTAL
18 APPLICATION FEE IF ANY OF THE FOLLOWING APPLIES:

19 1. THE LANDLORD DOES NOT INTEND TO USE THE ENTIRE AMOUNT OF THE FEE
20 TO COVER THE LANDLORD'S ACTUAL EXPENSES IN PROCESSING THE RENTAL
21 APPLICATION.

22 2. THE RENTAL APPLICATION FEE IS A DIFFERENT AMOUNT THAN A RENTAL
23 APPLICATION FEE CHARGED TO ANOTHER PROSPECTIVE TENANT WHO APPLIES TO RENT
24 EITHER:

25 (a) THE SAME DWELLING UNIT.

26 (b) IF THE LANDLORD OFFERS MORE THAN ONE DWELLING UNIT FOR RENT AT
27 THE SAME TIME, ANY OTHER DWELLING UNIT OFFERED BY THE LANDLORD.

28 3. THE LANDLORD KNOWS OR SHOULD KNOW THAT A RENTAL UNIT IS NOT
29 AVAILABLE AT THE TIME THE PROSPECTIVE TENANT SUBMITS A RENTAL APPLICATION
30 OR WILL NOT BE AVAILABLE WITHIN A REASONABLE FUTURE TIME OF WHEN THE
31 PROSPECTIVE TENANT SUBMITS A RENTAL APPLICATION.

32 C. A LANDLORD THAT CHARGES A PROSPECTIVE TENANT A RENTAL
33 APPLICATION FEE SHALL:

34 1. PROVIDE THE PROSPECTIVE TENANT WITH A WRITTEN OR ELECTRONIC
35 RECEIPT FOR ANY RENTAL APPLICATION FEE RECEIVED.

36 2. REMIT TO THE PROSPECTIVE TENANT ANY PORTION OF THE RENTAL
37 APPLICATION FEE THAT EXCEEDS THE LANDLORD'S ACTUAL EXPENSES IN PROCESSING
38 THE APPLICATION WITHIN FOURTEEN CALENDAR DAYS AFTER PROCESSING THE
39 APPLICATION.

40 D. A LANDLORD MAY NOT APPROVE OR DENY A PROSPECTIVE TENANT'S RENTAL
41 APPLICATION WITHOUT REVIEWING THE PROSPECTIVE TENANT'S RENTAL APPLICATION
42 AND CONDUCTING AN INDIVIDUALIZED ASSESSMENT OF THE PROSPECTIVE TENANT
43 BASED ON UNIFORM TENANT SCREENING CRITERIA.

44 E. A LANDLORD THAT VIOLATES THIS SECTION IS LIABLE FOR TREBLE
45 DAMAGES PLUS COURT COSTS AND REASONABLE ATTORNEY FEES. THIS SECTION DOES

1 NOT LIMIT THE RIGHT OF AN AGGRIEVED PERSON TO RECOVER DAMAGES UNDER ANY
2 OTHER APPLICABLE LAW.
3 F. FOR THE PURPOSES OF THIS SECTION, "RENTAL APPLICATION FEE":
4 1. MEANS ANY SUM OF MONEY, HOWEVER DENOMINATED, THAT IS CHARGED OR
5 ACCEPTED BY A LANDLORD FROM A PROSPECTIVE TENANT IN CONNECTION WITH THE
6 PROSPECTIVE TENANT'S SUBMISSION OF A RENTAL APPLICATION, INCLUDING ANY
7 BACKGROUND CHECK, CONSUMER REPORT OR CREDIT SCREENING OF A PROSPECTIVE
8 TENANT OR ANY NONREFUNDABLE FEE THAT PRECEDES THE ONSET OF TENANCY.
9 2. DOES NOT INCLUDE A REFUNDABLE SECURITY DEPOSIT OR ANY RENT THAT
10 IS PAID BEFORE THE ONSET OF TENANCY.