

REFERENCE TITLE: landlord tenant; rental amounts

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

HB 2718

Introduced by
Representatives Villegas: Abeytia, Aguilar, Austin, Cavero, De Los Santos,
Garcia, Gutierrez, Liguori, Luna-Nájera, Márquez, Mathis, Sandoval,
Simacek, Stahl Hamilton

AN ACT

AMENDING SECTION 33-1314, ARIZONA REVISED STATUTES; AMENDING SECTION 33-1314, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; 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 33-1314, Arizona Revised Statutes, is amended to
3 read:

4 33-1314. Terms and conditions of rental agreement; contact
5 information; property; pets; rental rate increases

6 A. The landlord and tenant may include in a rental agreement terms
7 and conditions not prohibited by this chapter or any other law, including
8 rent, term of the agreement and other provisions governing the rights and
9 obligations of the parties.

10 B. In the absence of a rental agreement, the tenant shall pay as
11 rent the fair rental value for using and occupying the dwelling unit.

12 C. Rent shall be payable without demand or notice at the time and
13 place agreed on by the parties. Unless otherwise agreed, rent is payable
14 at the dwelling unit and periodic rent is payable at the beginning of any
15 term of one month or less and otherwise in equal monthly installments at
16 the beginning of each month. Unless otherwise agreed, rent shall be
17 uniformly apportionable from day-to-day.

18 D. Unless the rental agreement fixes a definite term, the tenancy
19 shall be week-to-week in case of a roomer who pays weekly rent, and in all
20 other cases month-to-month.

21 E. Notwithstanding section 14-3911, the landlord may request and
22 the tenant may provide and routinely update the name and contact
23 information of a person who is authorized by the tenant to enter the
24 tenant's dwelling unit to retrieve and store the tenant's property,
25 including the tenant's animal, if the tenant dies or is otherwise
26 incapacitated. If the landlord is unable to contact the authorized person
27 at the address and telephone number provided to the landlord by the tenant
28 or the authorized person fails to respond to the landlord's request within
29 one day for the animal or ten days for all other property after initial
30 written contact, the landlord may dispose of the property as prescribed in
31 section 33-1370 or may deem the animal abandoned, and if deemed abandoned,
32 shall remove and release the animal to an animal shelter or boarding
33 facility as prescribed in section 33-1370, subsection E. The landlord may
34 release the animal to a relative of the deceased or incapacitated tenant
35 if any of the following applies:

36 1. The landlord was not provided the contact information of a
37 person who is authorized by the tenant to retrieve the tenant's animal.

38 2. The contact information is no longer valid.

39 3. The landlord is unable to contact the authorized person after
40 one calendar day.

41 F. Before removing any of the tenant's personal property or the
42 tenant's animal, the authorized person shall present to the landlord a
43 valid government issued identification that confirms the identity of the
44 authorized person. The authorized person shall have twenty days after the
45 date of initial written contact by the landlord or the last date for which

rent is paid, whichever is longer, to remove items from the rental property and return keys to the landlord during regular business hours. If the landlord allows an authorized person to enter the property to remove the tenant's personal possessions as prescribed by this subsection, the landlord has no further liability to the tenant, the tenant's estate or the tenant's heirs for lost, damaged or stolen items. If the tenant's personal property is not entirely removed from the rental unit by an authorized person, the landlord may dispose of the property as prescribed in section 33-1370.

G. Subsections E and F of this section apply only as follows:

1. To the tenant's personal property if the periodic rent is unpaid and outstanding for at least five days.

2. To the tenant's animal if the tenant is deceased or is otherwise incapacitated.

H. A LANDLORD MAY NOT INCREASE AND CHARGE A RENTAL RATE THAT EXCEEDS THE MAXIMUM RENTAL RATE INCREASE PRESCRIBED BY THIS SECTION. THE MAXIMUM RENTAL RATE INCREASE IS THE ANNUAL RATE OF INCREASE IN THE CONSUMER PRICE INDEX, PLUS AN ADDITIONAL THREE PERCENT OF THE CURRENT RENTAL AMOUNT, BUT NOT MORE THAN A SEVEN-PERCENT TOTAL ANNUAL INCREASE. THE OFFICE OF ECONOMIC OPPORTUNITY ESTABLISHED BY SECTION 41-5302 SHALL PROVIDE ANNUALLY TO THE ARIZONA DEPARTMENT OF HOUSING THE APPROPRIATE CONSUMER PRICE INDEX PERCENTAGE AMOUNT.

I. THE ARIZONA DEPARTMENT OF HOUSING SHALL APPLY THE LIMIT PRESCRIBED BY THIS SECTION AND, ON REQUEST OF AN INDIVIDUAL LANDLORD OR TENANT, SHALL CALCULATE THE AMOUNT OF PERMISSIBLE RENT INCREASE PRESCRIBED BY SUBSECTION H OF THIS SECTION. THE DEPARTMENT ALSO SHALL ACCEPT COMPLAINTS FROM TENANTS REGARDING A LANDLORD'S COMPLIANCE WITH SUBSECTION H OF THIS SECTION AND SHALL INVESTIGATE TENANT COMPLAINTS AND IF THE DEPARTMENT DETERMINES THAT THERE IS PROBABLE CAUSE THAT THE LANDLORD VIOLATED THE MAXIMUM RENTAL RATE INCREASE, THE DEPARTMENT SHALL REFER THE MATTER TO THE ATTORNEY GENERAL FOR FURTHER ACTION. A KNOWING VIOLATION OF THE MAXIMUM RENTAL RATE INCREASE IS AN UNLAWFUL PRACTICE PRESCRIBED BY SECTION 44-1522 AND THE ATTORNEY GENERAL MAY INVESTIGATE THE MATTER AND SEEK RESTITUTION, INJUNCTIVE RELIEF OR OTHER REMEDIES AS PRESCRIBED BY TITLE 44, CHAPTER 10, ARTICLE 7.

J. SUBSECTION H OF THIS SECTION DOES NOT APPLY TO A DWELLING UNIT DURING THE FIRST THIRTY-SIX MONTHS AFTER AN INITIAL CERTIFICATE OF OCCUPANCY IS ISSUED FOR THAT DWELLING UNIT IF THE DWELLING UNIT IS NEWLY-BUILT FROM THE GROUND UP.

Sec. 2. Section 33-1314, Arizona Revised Statutes, as amended by section 1 of this act, is amended to read:

33-1314. Terms and conditions of rental agreement; contact information; property; pets

A. The landlord and tenant may include in a rental agreement terms and conditions not prohibited by this chapter or any other law, including

1 rent, term of the agreement and other provisions governing the rights and
2 obligations of the parties.

3 B. In the absence of a rental agreement, the tenant shall pay as
4 rent the fair rental value for using and occupying the dwelling unit.

5 C. Rent shall be payable without demand or notice at the time and
6 place agreed on by the parties. Unless otherwise agreed, rent is payable
7 at the dwelling unit and periodic rent is payable at the beginning of any
8 term of one month or less and otherwise in equal monthly installments at
9 the beginning of each month. Unless otherwise agreed, rent shall be
10 uniformly apportionable from day-to-day.

11 D. Unless the rental agreement fixes a definite term, the tenancy
12 shall be week-to-week in case of a roomer who pays weekly rent, and in all
13 other cases month-to-month.

14 E. Notwithstanding section 14-3911, the landlord may request and
15 the tenant may provide and routinely update the name and contact
16 information of a person who is authorized by the tenant to enter the
17 tenant's dwelling unit to retrieve and store the tenant's property,
18 including the tenant's animal, if the tenant dies or is otherwise
19 incapacitated. If the landlord is unable to contact the authorized person
20 at the address and telephone number provided to the landlord by the tenant
21 or the authorized person fails to respond to the landlord's request within
22 one day for the animal or ten days for all other property after initial
23 written contact, the landlord may dispose of the property as prescribed in
24 section 33-1370 or may deem the animal abandoned, and if deemed abandoned,
25 shall remove and release the animal to an animal shelter or boarding
26 facility as prescribed in section 33-1370, subsection E. The landlord may
27 release the animal to a relative of the deceased or incapacitated tenant
28 if any of the following applies:

29 1. The landlord was not provided the contact information of a
30 person who is authorized by the tenant to retrieve the tenant's animal.

31 2. The contact information is no longer valid.

32 3. The landlord is unable to contact the authorized person after
33 one calendar day.

34 F. Before removing any of the tenant's personal property or the
35 tenant's animal, the authorized person shall present to the landlord a
36 valid government issued identification that confirms the identity of the
37 authorized person. The authorized person shall have twenty days after the
38 date of initial written contact by the landlord or the last date for which
39 rent is paid, whichever is longer, to remove items from the rental
40 property and return keys to the landlord during regular business hours.
41 If the landlord allows an authorized person to enter the property to
42 remove the tenant's personal possessions as prescribed by this subsection,
43 the landlord has no further liability to the tenant, the tenant's estate
44 or the tenant's heirs for lost, damaged or stolen items. If the tenant's
45 personal property is not entirely removed from the rental unit by an

1 authorized person, the landlord may dispose of the property as prescribed
2 in section 33-1370.

3 G. Subsections E and F of this section apply only as follows:

4 1. To the tenant's personal property if the periodic rent is unpaid
5 and outstanding for at least five days.

6 2. To the tenant's animal if the tenant is deceased or is otherwise
7 incapacitated.

8 ~~H. A landlord may not increase and charge a rental rate that~~
9 ~~exceeds the maximum rental rate increase prescribed by this section. The~~
10 ~~maximum rental rate increase is the annual rate of increase in the~~
11 ~~consumer price index, plus an additional three percent of the current~~
12 ~~rental amount, but not more than a seven-percent total annual increase.~~
13 ~~The office of economic opportunity established by section 41-5302 shall~~
14 ~~provide annually to the Arizona department of housing the appropriate~~
15 ~~consumer price index percentage amount.~~

16 ~~I. The Arizona department of housing shall apply the limit~~
17 ~~prescribed by this section and, on request of an individual landlord or~~
18 ~~tenant, shall calculate the amount of permissible rent increase prescribed~~
19 ~~by subsection H of this section. The department also shall accept~~
20 ~~complaints from tenants regarding a landlord's compliance with~~
21 ~~subsection H of this section and shall investigate tenant complaints and~~
22 ~~if the department determines that there is probable cause that the~~
23 ~~landlord violated the maximum rental rate increase, the department shall~~
24 ~~refer the matter to the attorney general for further action. A knowing~~
25 ~~violation of the maximum rental rate increase is an unlawful practice~~
26 ~~prescribed by section 44-1522 and the attorney general may investigate the~~
27 ~~matter and seek restitution, injunctive relief or other remedies as~~
28 ~~prescribed by title 44, chapter 10, article 7.~~

29 ~~J. Subsection H of this section does not apply to a dwelling unit~~
30 ~~during the first thirty-six months after an initial certificate of~~
31 ~~occupancy is issued for that dwelling unit if the dwelling unit is~~
32 ~~newly built from the ground up.~~

33 Sec. 3. Effective date

34 Section 33-1314, Arizona Revised Statutes, as amended by section 2
35 of this act, is effective from and after December 31, 2032.