

REFERENCE TITLE: mobile home parks; utilities; remedies

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1558

Introduced by
Senator Kavanagh

AN ACT

AMENDING SECTIONS 33-1413.01, 33-1471 AND 41-4063, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA MOBILE HOME PARK 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 33-1413.01, Arizona Revised Statutes, is amended
3 to read:

4 33-1413.01. Utility charges; waste, garbage and rubbish
5 removal charges; enforcement; remedies

6 A. If a landlord charges separately for gas, water or electricity
7 there shall be a separate meter for every user. ~~AND~~ for each billing
8 period, THE FOLLOWING SHALL BE SPECIFIED ON THE BILL:

9 1. The cost of the charges for the period ~~shall be separately~~
10 ~~stated~~, along with the opening and the closing meter readings. ~~and~~

11 2. The dates of the meter readings. ~~Each bill shall show the~~
12 ~~computation of the charge generally in accordance with the serving utility~~
13 ~~company billing format for individual service supplied through a single~~
14 ~~service meter.~~

15 3. THE TOTAL QUANTITY OF UTILITY USAGE MEASURED FOR THE BILLING
16 PERIOD.

17 4. THE TOTAL UTILITY CHARGES ASSESSED TO THE LANDLORD BY THE
18 SERVING UTILITY FOR THE BILLING PERIOD, INCLUDING THE RATE OR RATES
19 APPLIED AND THE APPLICABLE CUSTOMER CLASS OR TARIFF UNDER WHICH THE
20 LANDLORD IS BILLED.

21 5. ANY ADMINISTRATIVE FEE THAT IS CHARGED.

22 6. THE NAME OF THE SERVING UTILITY AND CONTACT INFORMATION FOR THE
23 LANDLORD OR BILLING AGENT FOR BILLING INQUIRIES OR DISPUTES.

24 B. If the landlord separately charges for utilities PURSUANT TO
25 SUBSECTION A OF THIS SECTION, the landlord ~~shall not charge more than the~~
26 ~~prevailing basic service single family residential rate charged by the~~
27 ~~serving utility or provider~~ MAY RECOVER THE CHARGES IMPOSED ON THE
28 LANDLORD BY THE UTILITY PROVIDER, PLUS AN ADMINISTRATIVE FEE FOR THE
29 LANDLORD FOR ADMINISTRATIVE COSTS ONLY. THE LANDLORD SHALL NOT IMPOSE ANY
30 ADDITIONAL CHARGES. THE RENTAL AGREEMENT SHALL CONTAIN A DISCLOSURE THAT
31 LISTS THE UTILITY SERVICES THAT ARE CHARGED SEPARATELY AND SHALL SPECIFY
32 THE AMOUNT OF ANY ADMINISTRATIVE FEE THAT IS ASSOCIATED WITH SUBMETERING,
33 WHICH MAY NOT BE MORE THAN \$8.

34 C. For the purpose of regulating mobile home parks as public or
35 consecutive water systems, the state shall not adopt rules pursuant to
36 title 49, chapter 2, article 9, ~~that~~ that are more stringent than authorized
37 by the federal government. Submetering solely to determine the charges
38 for individual water use by park tenants for the purpose of water
39 conservation, without other evidence indicating a transaction subject to
40 regulation under title 49, chapter 2, article 9, shall not be used as a
41 basis for treating any mobile home park as a public or consecutive water
42 system.

1 D. A landlord may charge separately for removal of waste, garbage,
2 rubbish, refuse and trash and for sewer services. Any charges for removal
3 or sewer services may not exceed the prevailing ~~single family~~
4 SINGLE-FAMILY residential charge, fee or rate for these services levied by
5 the political subdivision or provider.

6 E. A VIOLATION OF SUBSECTION A, B OR D OF THIS SECTION CONSTITUTES
7 AN UNLAWFUL PRACTICE UNDER SECTION 44-1522. THE ATTORNEY GENERAL MAY
8 INVESTIGATE, TAKE APPROPRIATE ACTION AND SEEK REMEDIES PURSUANT TO TITLE
9 44, CHAPTER 10, ARTICLE 7.

10 F. IF A TENANT BELIEVES THAT A LANDLORD IS NOT IN COMPLIANCE WITH
11 THIS SECTION, THE TENANT SHALL PROVIDE WRITTEN NOTICE TO THE LANDLORD
12 REGARDING THE ALLEGED VIOLATION OF THIS SECTION. IF THE DISPUTE IS NOT
13 RESOLVED WITHIN THIRTY DAYS AFTER THE NOTICE IS RECEIVED BY THE LANDLORD,
14 THE TENANT MAY FILE A CIVIL COMPLAINT IN JUSTICE COURT TO ENFORCE THIS
15 SECTION AND TO OBTAIN RELIEF AVAILABLE UNDER SECTION 33-1471,
16 SUBSECTION B. IF THE TENANT PREVAILS IN AN ACTION PURSUANT TO THIS
17 SUBSECTION, THE COURT SHALL AWARD THE TENANT COURT COSTS AND REASONABLE
18 ATTORNEY FEES.

19 G. THE REMEDIES IN THIS SECTION ARE IN ADDITION TO ALL OTHER CAUSES
20 OF ACTION, REMEDIES AND RELIEF AVAILABLE TO TENANTS.

21 H. THIS SECTION DOES NOT BAR ANY CLAIM AGAINST ANY PERSON WHO HAS
22 VIOLATED ANY PROVISIONS OF ANY OTHER TITLE.

23 Sec. 2. Section 33-1471, Arizona Revised Statutes, is amended to
24 read:

25 33-1471. Noncompliance by the landlord

26 A. Except as provided in this chapter, if there is a material
27 noncompliance by the landlord with the rental agreement, the rules and
28 regulations or statements of policy, the tenant may deliver a written
29 notice to the landlord specifying the acts and omissions constituting the
30 breach and that the rental agreement will terminate ~~upon~~ ON a date not
31 less than thirty days after receipt of the notice if the breach is not
32 remedied in fourteen days. If there is a noncompliance by the landlord
33 with section 33-1434 materially affecting health and safety, the tenant
34 may deliver a written notice to the landlord specifying the acts and
35 omissions constituting the breach and that the rental agreement will
36 terminate ~~upon~~ ON a date not less than twenty days after receipt of the
37 notice if the breach is not remedied in ten days. The rental agreement
38 shall terminate and the mobile home space shall be vacated as provided in
39 the notice subject to the following:

40 1. If the breach is remediable by repairs or the payment of damages
41 or otherwise and the landlord adequately remedies the breach ~~prior to~~
42 BEFORE the date specified in the notice, the rental agreement will not
43 terminate.

1 2. The tenant may not terminate for a condition caused by the
2 deliberate or negligent act or omission of the tenant, a member of ~~his~~ THE
3 TENANT'S family or other person on the premises with ~~his~~ THE TENANT'S
4 consent.

5 B. Except as provided in this chapter, the tenant may recover
6 damages, ~~and~~ and obtain injunctive relief for any noncompliance by the
7 landlord with the rental agreement, SECTION 33-1413.01 or section 33-1434.

8 C. The remedy provided in subsection B of this section is in
9 addition to any right of the tenant arising under subsection A of this
10 section.

11 D. If the rental agreement is terminated, the landlord shall return
12 all deposits less reasonable damages.

13 Sec. 3. Section 41-4063, Arizona Revised Statutes, is amended to
14 read:

15 41-4063. Orders; penalties; disposition

16 A. The administrative law judge may order any party to abide by the
17 statute or contract provision at issue and may levy a civil penalty on the
18 basis of each violation. For the purposes of actions brought under the
19 Arizona mobile home parks residential landlord and tenant act, the civil
20 penalty may not ~~exceed five hundred dollars~~ BE MORE THAN \$500. All monies
21 collected pursuant to this article shall be deposited in the state general
22 fund to be used to offset the cost of administering the administrative law
23 judge function. If the petitioner prevails, the administrative law judge
24 shall order the respondent to pay to the petitioner the filing fee
25 required by section 41-4062.

26 B. The order issued by the administrative law judge is binding on
27 the parties unless a rehearing is granted pursuant to section 41-4065
28 based on a petition setting forth the reasons for the request for
29 rehearing, in which case the order issued at the conclusion of the
30 rehearing is binding on the parties. The order issued by the
31 administrative law judge is enforceable through contempt of court
32 proceedings and is subject to judicial review as prescribed by section
33 41-1092.08.

34 C. IN ADDITION TO THE REMEDIES AVAILABLE IN SUBSECTION A OF THIS
35 SECTION, THE ADMINISTRATIVE LAW JUDGE MAY AWARD DAMAGES TO A PETITIONING
36 TENANT AND ORDER INJUNCTIVE RELIEF FOR A LANDLORD'S NONCOMPLIANCE WITH
37 SECTION 33-1413.01. IF THE PETITIONING TENANT PREVAILS, THE ADMINISTRATIVE
38 LAW JUDGE SHALL ORDER THE RESPONDENT TO PAY TO THE PETITIONER THE FILING
39 FEE REQUIRED BY SECTION 41-4062 AND AWARD REASONABLE ATTORNEY FEES AND
40 COSTS.