



ARIZONA STATE SENATE

Fifty-First Legislature, First Regular Session

FINAL AMENDED **FACT SHEET FOR H.B. 2281**

foreclosure; tenant notification

Purpose

Requires the owner of a property to provide the tenant with written notice of trustee's sale or foreclosure on the property.

Background

The Arizona Residential Landlord and Tenant Act was established for the purpose of simplifying, clarifying, modernizing and revising laws governing the rental of dwelling units and the rights and obligations of the landlord and tenant.

Under current statute, if a rental agreement is entered into after the foreclosure action was initiated, the owner must include written notice of possible foreclosure as stipulated in the rental agreement. Statute also stipulates what information must be included in the notice.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the owner of a property to provide the tenant with written notice if the owner receives notice of trustee's sale or foreclosure on the property.
2. Specifies that the owner of the property must provide the tenant with a written notice of trustee's sale or foreclosure on the property within five business days after the receipt of the notice of trustee's sale.
3. Applies tenant notice requirements only to the first notice of trustee's sale or foreclosure received by the owner after the tenant has entered into the rental agreement.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.

Amendment Adopted by Committee

- Specifies that the owner of the property must provide the tenant with a written notice of trustee's sale or foreclosure on the property within five business days after the receipt of trustee's sale.

Amendments Adopted by Committee of the Whole

- Makes technical and clarifying changes.

Amendments Adopted by Conference Committee

- Applies tenant notice requirements only to the first notice of trustee's sale or foreclosure received by the owner.

House Action

RHS	1/22/13	DP	8-0-0-0
3 rd Read	2/26/13		58-1-1-0-0
Final Read	4/24/13		54-2-4-0-0

Senate Action

CEM	3/13/13	DPA	6-0-1-0
3 rd Read	3/26/13		27-0-3-0
Final Read	5/09/13		28-0-2-0

Signed by the Governor 6/19/13
Chapter 224

Prepared by Senate Research
June 25, 2013
JT/LE/tf