

Senate Engrossed

long-term recreational vehicle parks; caregivers

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SENATE BILL 1257

AN ACT

AMENDING SECTION 33-2132, ARIZONA REVISED STATUTES; RELATING TO THE
RECREATIONAL VEHICLE LONG-TERM RENTAL SPACE ACT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 33-2132, Arizona Revised Statutes, is amended to
3 read:

4 33-2132. Rules

5 A. A landlord shall adopt written rules, however described,
6 concerning the tenant's use and occupancy of the premises. Rules are
7 enforceable against the tenant only if:

8 1. They apply to all tenants on the premises in a fair manner.

9 2. They are sufficiently explicit in prohibition, direction or
10 limitation of the tenant's conduct to fairly inform the tenant of what the
11 tenant must or must not do to comply.

12 3. They are not for the purpose of evading the obligations of the
13 landlord.

14 4. The prospective tenant has a copy of the current rules before
15 entering into the rental agreement.

16 B. If the owner or agent adds, changes, deletes or amends any rule,
17 the owner or agent shall provide notice in writing of all additions,
18 changes, deletions or amendments to all tenants thirty days before they
19 become effective. Any rule or condition of occupancy that is unfair and
20 deceptive or that does not conform to the requirements of this chapter is
21 unenforceable. A rule adopted after the tenant enters into the rental
22 agreement is enforceable against the tenant only if the rule does not
23 substantially modify the rental agreement. For purposes of this
24 subsection, notice shall be by personal delivery or mailed by first class
25 or certified mail.

26 C. A landlord shall not:

27 1. Deny rental unless the prospective resident cannot conform to
28 park rules. A landlord is not required to enter into an initial
29 recreational vehicle space agreement in excess of one hundred seventy-nine
30 days.

31 2. Charge an exit fee to a tenant whose rental agreement has
32 expired.

33 3. Require a person as a precondition to renting, leasing or
34 otherwise occupying a recreational vehicle space in a recreational vehicle
35 or mobile home park to pay an entrance or exit fee, unless the fee is for
36 services that are actually rendered or pursuant to a written agreement.

37 4. Deny any resident of a recreational vehicle park the right to
38 sell the recreational vehicle at a price of the resident's own choosing
39 during the term of the tenant's rental agreement, but the landlord may
40 reserve the right to approve the purchaser of the recreational vehicle as
41 a tenant. This permission shall not be unreasonably withheld, except that
42 the landlord may require, in order to preserve or upgrade the quality of
43 the recreational vehicle park, that any recreational vehicle not
44 compatible with the other recreational vehicles in the park, in a rundown
45 condition or in disrepair be removed from the park within sixty days.

1 Within ten days after a written request by the seller or prospective
2 purchaser, a landlord shall notify the seller and the prospective
3 purchaser in writing of any reasons for withholding approval of a purchase
4 pursuant to this paragraph. The notice to the prospective purchaser shall
5 identify the reasons for disapproval with reasonable specificity. The
6 notice to the seller shall identify the reasons in summary fashion
7 consistent with applicable federal and state consumer protection laws and
8 shall inform the seller that the seller should consult with the
9 prospective purchaser for more specific details.

10 5. Require an existing tenant to furnish permanent improvements
11 that cannot be removed without damage to the improvements or to the
12 recreational vehicle space by a tenant at the expiration of the rental
13 agreement.

14 6. Prohibit a tenant from advertising the sale or exchange of the
15 tenant's recreational vehicle, including the display of a for sale or open
16 house sign on the recreational vehicle or in the window of the
17 recreational vehicle stating the name and contact information of the owner
18 or agent of the recreational vehicle. In addition, a tenant may display a
19 sign on a central posting board in the park that is reasonably accessible
20 to the public seven days a week during daylight hours.

21 7. Require a tenant or prospective tenant to use any specific sales
22 agency, manufacturer, retailer or broker.

23 8. Require a tenant to place any additional person's name on the
24 title to the recreational vehicle as a condition of tenancy or residency
25 for that additional person or pay a fee or other form of penalty for
26 failing to place an additional person's name on the title to the
27 recreational vehicle.

28 D. The landlord shall not prohibit or adopt a rule that prohibits
29 tenants or a tenant association from meeting with permission of the tenant
30 in the tenant's recreational vehicle or from assembling or meeting with or
31 without invited speakers in the park to discuss issues relating to
32 recreational vehicle or mobile home living and affairs, including the
33 forming of a tenant association. Such meetings shall be allowed in common
34 facilities if such meetings are held during normal operating hours of the
35 common facility and when the facility is not otherwise in use. The tenant
36 or tenant association shall be allowed to post notice of a meeting on a
37 bulletin board in the park used for similar notices and shall be allowed
38 to include notice of a meeting in a park newsletter. Meeting notices and
39 meetings prescribed in this subsection shall not constitute a
40 solicitation. For the purposes of this subsection, "common facilities"
41 means a recreation hall, a clubhouse, a community center and any outdoor
42 common area meeting location that is ~~utilized~~ USED by the tenants.

43 E. If a tenant dies, any surviving joint tenant or cotenant
44 continues as A tenant with the same rights, privileges and liabilities as
45 if the surviving tenant were the original tenant.

1 F. A new tenant who brings a recreational vehicle into a park or
2 who purchases an existing recreational vehicle or mobile home shall comply
3 with all rules then in effect.

4 G. ~~A resident may have one person who is at least eighteen years of~~
5 ~~age occupy~~ PURSUANT TO STATE AND FEDERAL FAIR HOUSING LAWS, A RESIDENT WHO
6 HAS A DISABILITY AS DEFINED IN SECTION 41-1491 MAY HAVE ONE OR MORE
7 PERSONS OCCUPY the recreational vehicle ~~on a temporary basis~~ to provide
8 necessary live-in health care, ~~to the resident pursuant to a written~~
9 ~~treatment plan prepared by the resident's physician. The landlord may~~
10 ~~require the resident to provide a written renewal of the physician's~~
11 ~~treatment plan every six months~~ PERSONAL CARE OR SUPPORTIVE SERVICES IF
12 THE CARE OR SERVICES ARE NECESSARY TO AFFORD THE RESIDENT WITH A
13 DISABILITY AN EQUAL OPPORTUNITY TO USE AND ENJOY THE DWELLING. The
14 landlord shall not charge a fee for the ~~person~~ PERSONS rendering LIVE-IN
15 HEALTH care, PERSONAL CARE OR SUPPORTIVE SERVICES. The ~~person~~ PERSONS
16 rendering LIVE-IN HEALTH care, ~~has~~ PERSONAL CARE OR SUPPORTIVE SERVICES
17 HAVE no rights of tenancy. Any agreement between the resident and the
18 ~~person~~ PERSONS rendering LIVE-IN HEALTH care, PERSONAL CARE OR SUPPORTIVE
19 SERVICES does not modify the rental agreement between the landlord and
20 tenant. The ~~person~~ PERSONS rendering LIVE-IN HEALTH care, PERSONAL CARE
21 OR SUPPORTIVE SERVICES shall comply with the rules of the park.