

REFERENCE TITLE: rent limitation; formula

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2707

Introduced by
Representatives Villegas: Aguilar, Austin, Blattman, Contreras P, Crews,
De Los Santos, Hernandez L, Hernandez M, Mathis, Ortiz, Peshlakai,
Sandoval, Schwiebert, Stahl Hamilton

AN ACT

AMENDING SECTION 33-1314, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS
2023, CHAPTER 204, SECTION 3; 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, as amended by
3 Laws 2023, chapter 204, section 3, is amended to read:

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

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

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

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

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

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

15 H. THE MAXIMUM AMOUNT OF A PERMISSIBLE RENT INCREASE FOR A TENANT
16 IS THE LESSER OF THE FOLLOWING AMOUNTS AND NOT MORE THAN TEN PERCENT OF
17 THE LOWEST RENTAL RATE CHARGED DURING THE TWELVE MONTHS IMMEDIATELY
18 PRECEDING THE DATE ON WHICH THE RENTAL INCREASE TAKES EFFECT:

19 1. SEVEN PERCENT OF THE LOWEST RENTAL RATE CHARGED DURING THE
20 TWELVE MONTHS IMMEDIATELY PRECEDING THE DATE ON WHICH THE RENTAL INCREASE
21 TAKES EFFECT.

22 2. THREE PERCENT OF THE LOWEST RENTAL RATE CHARGED DURING THE
23 TWELVE MONTHS IMMEDIATELY PRECEDING THE DATE ON WHICH THE RENTAL INCREASE
24 TAKES EFFECT PLUS THE PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX (ALL
25 URBAN CONSUMERS, UNITED STATES CITY AVERAGE FOR ALL ITEMS) PUBLISHED BY
26 THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.

27 Sec. 2. Effective date

28 This act is effective from and after December 31, 2024.