

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2316

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 33-1476.04, Arizona Revised Statutes, is amended
3 to read:

4 33-1476.04. Relocations due to rent increase; mobile home
5 relocation fund; applicability

6 A. A tenant is eligible for payment from the mobile home relocation
7 fund if all of the following conditions are met:

8 1. The tenant resides in a mobile home that is owned by the tenant
9 and that is located in a mobile home park.

10 2. A rent increase will be effective at the expiration or renewal of
11 the tenant's rental agreement.

12 3. The rent increase either singly or in combination during any
13 consecutive twelve-month period is more than a total of ten percent plus
14 the current increase in the consumer price index over the most recent
15 one-year period before the date of the notice of the rent increase. For
16 the purposes of this paragraph, "consumer price index" means the "west-A"
17 index that is published by the United States department of labor, bureau of
18 labor statistics, and that demonstrates changes in prices in certain cities
19 in the western United States.

20 B. A landlord who increases rent as prescribed by subsection A of
21 this section shall give written notice of the applicability of this section
22 to all affected tenants.

1 C. A tenant is eligible to receive relocation expenses pursuant to
2 subsection A of this section as follows:

3 1. At least thirty days before the effective date of the rent
4 increase that exceeds the limits prescribed by subsection A of this
5 section, the tenant shall submit a contract for relocation of the mobile
6 home to the director for approval and to the landlord.

7 2. Before the effective date of the rent increase, the tenant shall
8 have a fully signed contract with a licensed installer or contractor to
9 move the mobile home to a specific location ~~by a specific date and must~~
10 ~~have moved the mobile home pursuant to that contract within forty-five days~~
11 ~~after the effective date of the rent increase.~~

12 3. The director shall approve or disapprove the contract submitted
13 within fifteen days after receipt of the contract, and the contract is
14 deemed to be approved on the sixteenth day if the director takes no action.

15 4. If the contract is approved, the payment of relocation expenses
16 shall be made to the installer or contractor when both of the following are
17 complete:

18 (a) The installer or contractor obtains valid permits to move the
19 mobile or manufactured home to a new location.

20 (b) The installer or contractor provides documentation to the
21 department that the installation of the mobile or manufactured home at the
22 new location is complete and has been inspected by the department or its
23 designee and is approved for occupancy.

24 5. If the contract is not approved, the tenant may appeal to an
25 administrative law judge pursuant to title 41, chapter 37, article 5. The
26 tenant shall provide notice pursuant to section 33-1451, subsection A,
27 paragraph 6 if the tenant relocates.

28 6. On approval, the tenant is eligible for the lesser of the actual
29 moving expenses of relocating the mobile home or ~~seven thousand five~~
30 ~~hundred dollars~~ \$12,500 for a single-section mobile home or ~~twelve thousand~~
31 ~~five hundred dollars~~ \$20,000 for a multisection mobile home. Compensable

1 moving expenses include the cost of taking down, moving and setting up the
2 mobile home in the new location if the mobile home is relocated to a
3 residential location within a one hundred-mile radius of the vacated mobile
4 home park.

5 D. As an alternative to receiving payment as prescribed in
6 subsection C of this section, a tenant who is eligible to receive payment
7 pursuant to subsection A of this section may abandon the mobile home in the
8 mobile home park and collect an amount equal to ~~one-fourth~~ FORTY PERCENT of
9 the maximum allowable moving expense for that mobile home from the mobile
10 home relocation fund. To qualify for an abandonment payment pursuant to
11 this subsection, the tenant shall deliver to the landlord the current title
12 to the mobile home with the notarized endorsement of the owner of record
13 together with complete releases of all liens that are shown on the title
14 and proof that all taxes owing on the mobile home have been paid to date.
15 The tenant shall provide a copy of these documents to the Arizona
16 department of housing in support of the tenant's application for payment.
17 If the tenant chooses to abandon the mobile home pursuant to this
18 subsection, the landlord is exempt from making the payments to the fund
19 prescribed in section 33-1476.01, subsection D.

20 E. This section does not apply to rent increases that are prescribed
21 in a written rental agreement.

22 F. This section does not make any rent increase unreasonable.

23 Sec. 2. Section 33-1476.05, Arizona Revised Statutes, is amended to
24 read:

25 33-1476.05. Relocations due to change in age-restricted
26 community use; payment from mobile home
27 relocation fund; applicability

28 A. The landlord shall notify the director and all tenants in writing
29 of a change in use at least sixty days before a change in the
30 age-restricted community to an all-age community use as defined by the
31 housing for older persons act of 1995.

1 B. A tenant is eligible for payment from the mobile home relocation
2 fund if both of the following conditions are met:

3 1. The tenant resides in a mobile home or manufactured home that is
4 owned by the tenant and that is located in an age-restricted mobile home
5 park.

6 2. The landlord implements a change from an age-restricted community
7 to an all-age community as defined by the housing for older persons act of
8 1995.

9 C. A landlord who changes a mobile home park designation from an
10 age-restricted community shall give written notice of the applicability of
11 this section to all affected tenants.

12 D. A tenant is eligible to receive relocation expenses pursuant to
13 subsection B of this section as follows:

14 1. Within one hundred eighty days after the effective date of
15 notification of the change in the age-restricted community's use, the
16 tenant shall submit a contract for relocation of the mobile or manufactured
17 home to the director for approval and to the landlord.

18 2. After notice of approval by the director for the payment of
19 relocation expenses, the tenant shall have a fully signed contract with a
20 licensed installer or contractor to move the mobile or manufactured home to
21 a specific location ~~by a specific date and must have moved the mobile or~~
22 ~~manufactured home pursuant to that contract within forty-five days after~~
23 ~~notice from the director.~~

24 3. The director shall approve or disapprove the contract submitted
25 within fifteen days after receipt of the contract, and the contract is
26 deemed to be approved on the sixteenth day if the director takes no action.

27 4. If the contract is approved, the payment of relocation expenses
28 shall be made to the installer or contractor when both of the following are
29 complete:

30 (a) The installer or contractor obtains valid permits to move the
31 mobile or manufactured home to a new location.

1 (b) The installer or contractor provides documentation to the
2 department that the installation of the mobile or manufactured home at the
3 new location is complete and has been inspected by the department or its
4 designee and is approved for occupancy.

5 5. If the contract is not approved, the tenant may appeal to an
6 administrative law judge pursuant to title 41, chapter 37, article 5. The
7 tenant shall provide notice pursuant to section 33-1451, subsection A,
8 paragraph 6 if the tenant relocates.

9 6. On approval, the tenant is eligible for the lesser of the actual
10 moving expenses of relocating the mobile home or ~~seven thousand five~~
11 ~~hundred dollars~~ \$12,500 for a single-section mobile home or ~~twelve thousand~~
12 ~~five hundred dollars~~ \$20,000 for a multisection mobile home. Compensable
13 moving expenses include the cost of taking down, moving and setting up the
14 mobile home in the new location if the mobile home is relocated to another
15 age-restricted community within a one hundred-mile radius of the vacated
16 mobile home park.

17 E. The landlord shall not be responsible for making any payment into
18 the mobile home relocation fund for any mobile or manufactured home moved
19 pursuant to this section.

20 Sec. 3. Section 41-4006, Arizona Revised Statutes, is amended to
21 read:

22 41-4006. Preemption of local building codes; responsibility
23 for maintenance of utility connections

24 A. No building code or local enforcement agency or its adopted
25 building codes may require, as a condition of entry into or sale in any
26 county or municipality, that any unit that has been certified pursuant to
27 this chapter be subjected to any local enforcement inspection to determine
28 compliance with any standard covering any aspect of the unit that is
29 inspected pursuant to this article.

30 B. Except where a local enforcement agency participates in the
31 office permit and certificate issuance program for the installation of

1 manufactured homes, mobile homes, factory-built buildings and accessory
2 structures and inspection of such installations, no local enforcement
3 agency shall subject any unit installed to any local inspections or charge
4 a fee for any services provided pursuant to this article.

5 C. A local enforcement agency in any county or municipality shall
6 recognize the minimum standards of the act as equal to any nationally
7 accepted or locally adopted building code standard.

8 D. Nothing in subsection A, B or C of this section shall prevent the
9 application of local codes and ordinances governing zoning requirements,
10 fire zones, building setback, maximum area and fire separation
11 requirements, site development and property line requirements and
12 requirements for on-site utility terminals for factory-built buildings,
13 manufactured homes and mobile homes.

14 E. Notwithstanding any other provision of this section, the owner of
15 a manufactured home or mobile home located in a park subject to title 33,
16 chapter 11 is responsible for the maintenance of utility connections from
17 any outlets furnished by the landlord pursuant to section 33-1434 to the
18 unit, except that the landlord is responsible for the maintenance of
19 connections for any distance greater than twenty-five feet to the point at
20 which the utility connections are the property of the providing utility
21 company if the outlet is located outside the lot line of the owner's unit
22 and is more than twenty-five feet from the unit. A local enforcement
23 agency that determines that local code requirements are not being met or
24 that maintenance or safety activities are needed for utility connections
25 may not require anyone except the responsible party to perform or pay for
26 such activities.

27 F. NO BUILDING CODE OR LOCAL ENFORCEMENT AGENCY OR ITS ADOPTED
28 BUILDING CODES MAY REQUIRE THE OWNER OF A MOBILE HOME PARK, AS DEFINED IN
29 SECTION 33-1409, IF A VIOLATION IS FOUND IN OR ON A MOBILE HOME, TO CORRECT
30 SUCH VIOLATION. IF A VIOLATION IS FOUND IN OR ON A MOBILE HOME IN A MOBILE
31 HOME PARK AS THOSE TERMS ARE DEFINED IN SECTION 33-1409, THE MOBILE HOME'S

- 1 OWNER AS SHOWN IN THE RECORDS OF THE ARIZONA MOTOR VEHICLE DIVISION MUST BE
- 2 CITED FOR THE VIOLATION, AND NOT THE MOBILE HOME PARK LANDLORD."
- 3 Amend title to conform

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