

Senate Engrossed House Bill

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fiftieth Legislature  
First Regular Session  
2011

CHAPTER 283

# **HOUSE BILL 2395**

AN ACT

AMENDING TITLE 33, CHAPTER 11, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1476.05; RELATING TO THE ARIZONA MOBILE HOME PARKS 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. Title 33, chapter 11, article 4, Arizona Revised Statutes,  
3 is amended by adding section 33-1476.05, to read:  
4 33-1476.05. Relocations due to change in age restricted  
5 community use; mobile home relocation fund;  
6 applicability  
7 A. THE LANDLORD SHALL NOTIFY THE DIRECTOR AND ALL TENANTS IN WRITING  
8 OF A CHANGE IN USE AT LEAST SIXTY DAYS BEFORE A CHANGE IN THE AGE RESTRICTED  
9 COMMUNITY TO AN ALL AGE COMMUNITY USE AS DEFINED BY THE HOUSING FOR OLDER  
10 PERSONS ACT OF 1995.  
11 B. A TENANT IS ELIGIBLE FOR PAYMENT FROM THE MOBILE HOME RELOCATION  
12 FUND IF BOTH OF THE FOLLOWING CONDITIONS ARE MET:  
13 1. THE TENANT RESIDES IN A MOBILE HOME OR MANUFACTURED HOME THAT IS  
14 OWNED BY THE TENANT AND THAT IS LOCATED IN AN AGE RESTRICTED MOBILE HOME  
15 PARK.  
16 2. THE LANDLORD IMPLEMENTS A CHANGE FROM AN AGE RESTRICTED COMMUNITY  
17 TO AN ALL AGE COMMUNITY AS DEFINED BY THE HOUSING FOR OLDER PERSONS ACT OF  
18 1995.  
19 C. A LANDLORD WHO CHANGES A MOBILE HOME PARK DESIGNATION FROM AN AGE  
20 RESTRICTED COMMUNITY SHALL GIVE WRITTEN NOTICE OF THE APPLICABILITY OF THIS  
21 SECTION TO ALL AFFECTED TENANTS.  
22 D. A TENANT IS ELIGIBLE TO RECEIVE RELOCATION EXPENSES PURSUANT TO  
23 SUBSECTION B OF THIS SECTION AS FOLLOWS:  
24 1. WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF  
25 NOTIFICATION OF THE CHANGE IN THE AGE RESTRICTED COMMUNITY'S USE, THE TENANT  
26 SHALL SUBMIT A CONTRACT FOR RELOCATION OF THE MOBILE OR MANUFACTURED HOME TO  
27 THE DIRECTOR FOR APPROVAL AND TO THE LANDLORD.  
28 2. AFTER NOTICE OF APPROVAL BY THE DIRECTOR FOR THE PAYMENT OF  
29 RELOCATION EXPENSES THE TENANT SHALL RELOCATE THE MOBILE OR MANUFACTURED HOME  
30 OR HAVE A FULLY SIGNED CONTRACT WITH A LICENSED MOVING COMPANY TO MOVE THE  
31 MOBILE OR MANUFACTURED HOME TO A SPECIFIC LOCATION BY A SPECIFIC DATE AND  
32 MUST HAVE MOVED THE MOBILE OR MANUFACTURED HOME PURSUANT TO THAT CONTRACT  
33 WITHIN FORTY-FIVE DAYS AFTER NOTICE FROM THE DIRECTOR.  
34 3. THE DIRECTOR SHALL APPROVE OR NOT APPROVE THE CONTRACT SUBMITTED  
35 WITHIN FIFTEEN DAYS AFTER RECEIPT OF THE CONTRACT AND THE CONTRACT IS DEEMED  
36 TO BE APPROVED ON THE SIXTEENTH DAY IF THE DIRECTOR TAKES NO ACTION. THE  
37 PAYMENT OF RELOCATION EXPENSES SHALL BE MADE AT OR BEFORE THE TIME OF  
38 RELOCATION AS PROVIDED IN RULES ADOPTED BY THE DIRECTOR. IF THE CONTRACT IS  
39 NOT APPROVED, THE TENANT MAY APPEAL TO AN ADMINISTRATIVE LAW JUDGE PURSUANT  
40 TO TITLE 41, CHAPTER 16, ARTICLE 5. THE TENANT SHALL PROVIDE NOTICE PURSUANT  
41 TO SECTION 33-1451, SUBSECTION A, PARAGRAPH 6 IF THE TENANT RELOCATES.

1           4. ON APPROVAL, THE TENANT IS ELIGIBLE FOR THE LESSER OF THE ACTUAL  
2 MOVING EXPENSES OF RELOCATING THE MOBILE HOME OR FIVE THOUSAND DOLLARS FOR A  
3 SINGLE SECTION MOBILE HOME OR TEN THOUSAND DOLLARS FOR A MULTISECTION MOBILE  
4 HOME. COMPENSABLE MOVING EXPENSES INCLUDE THE COST OF TAKING DOWN, MOVING  
5 AND SETTING UP THE MOBILE HOME IN THE NEW LOCATION IF THE MOBILE HOME IS  
6 RELOCATED TO ANOTHER AGE RESTRICTED COMMUNITY WITHIN A ONE HUNDRED MILE  
7 RADIUS OF THE VACATED MOBILE HOME PARK.  
8           E. THE LANDLORD SHALL NOT BE RESPONSIBLE FOR MAKING ANY PAYMENT INTO  
9 THE MOBILE HOME RELOCATION FUND FOR ANY MOBILE OR MANUFACTURED HOME MOVED  
10 PURSUANT TO THIS SECTION.

APPROVED BY THE GOVERNOR APRIL 27, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 27, 2011.

Passed the House March 3, 2011

Passed the Senate April 13, 2011

by the following vote: 37 Ayes,

by the following vote: 17 Ayes,

19 Nays, 4 Not Voting

12 Nays, 1 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

           day of           , 20          

at            o'clock            M.

            
Secretary to the Governor

Approved this            day of

at            o'clock            M.

            
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this            day of           , 20          

at            o'clock            M.

            
Secretary of State

H.B. 2395

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 19, 2011,

by the following vote: 44 Ayes,

16 Nays, 0 Not Voting

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20 day of April, 2011,

at 8:30 o'clock A. M.

[Signature]  
Secretary to the Governor

Approved this 27<sup>th</sup> day of

April, 2011,

at 3:40 o'clock P. M.

[Signature]  
Governor of Arizona

H.B. 2395

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 27<sup>th</sup> day of April, 2011,

at 4:45 o'clock P. M.

[Signature]  
Secretary of State