

Conference Engrossed

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
First Regular Session  
2013

CHAPTER 224

# **HOUSE BILL 2281**

AN ACT

AMENDING SECTION 33-1331, ARIZONA REVISED STATUTES; 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 33-1331, Arizona Revised Statutes, is amended to  
3 read:

4 33-1331. Notice of foreclosure; effect on lease; damages

5 A. If a rental agreement is entered into after the foreclosure action  
6 was initiated, the owner shall include written notice of possible foreclosure  
7 with the rental agreement with the tenant. The notice shall include a  
8 statement that is substantially in the following form:

9 This property is undergoing foreclosure. For more  
10 information on this action, you should contact \_\_\_\_\_  
11 (name, address and phone number of the court where the action is  
12 filed or trustee, attorney or other responsible party).

13 A sale at auction may or may not occur as a result of this  
14 foreclosure. Currently, the sale of this property has been set  
15 for \_\_\_\_\_ (time, date and place) or no date for sale of this  
16 property has been established.

17 B. IF THE OWNER RECEIVES A NOTICE OF TRUSTEE'S SALE OR OTHER NOTICE OF  
18 FORECLOSURE ON THE PROPERTY AFTER A TENANT HAS ENTERED INTO A RENTAL  
19 AGREEMENT ON THE PROPERTY, THE OWNER SHALL PROVIDE THE TENANT WITH WRITTEN  
20 NOTICE AS PRESCRIBED IN SUBSECTION A OF THIS SECTION WITHIN FIVE BUSINESS  
21 DAYS AFTER RECEIPT OF THE NOTICE OF TRUSTEE'S SALE. THIS SUBSECTION APPLIES  
22 ONLY TO THE FIRST NOTICE OF TRUSTEE'S SALE OR THE FIRST NOTICE OF FORECLOSURE  
23 RECEIVED BY THE OWNER AFTER THE TENANT HAS ENTERED INTO THE RENTAL AGREEMENT.

24 ~~B.~~ C. If the owner fails to provide notice as prescribed in this  
25 section the tenant may deliver a written notice pursuant to section 33-1361  
26 and recover damages and obtain injunctive relief. The security deposit shall  
27 be returned to the tenant as prescribed in SECTION 33-1321.

28 ~~C.~~ D. This section shall not apply to multifamily residential rental  
29 units consisting of four or more connected units.

APPROVED BY THE GOVERNOR JUNE 19, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 19, 2013.

Passed the House February 26, 2013

Passed the Senate March 26, 2013

by the following vote: 58 Ayes,

by the following vote: 27 Ayes,

1 Nays, 1 Not Voting

0 Nays, 3 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. 2281

HOUSE FINAL PASSAGE  
as per Joint Conference

SENATE FINAL PASSAGE  
as per Joint Conference

Passed the House April 24, 2013

Passed the Senate May 9, 2013

by the following vote: 54 Ayes,

by the following vote: 28 Ayes,

2 Nays, 4 Not Voting

0 Nays, 2 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

13 day of June, 2013

at 4:45 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 19<sup>th</sup> day of

[Signature]  
June

at 3:47 o'clock P M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 19<sup>th</sup> day of June, 2013

at 4:53 o'clock P M.

[Signature]  
Secretary of State