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ANTI-SLUMLORD BILL

Recently, an Anti-Slumlord Bill was passed in the State of Arizona. All landlords are required to register their property with the County Assessor. **Enclosed is a form, which needs to be filled out and returned directly to the *Yavapai County Assessor's office at: 1015 Fair Street, Prescott, AZ 86305*.** Please make a copy for our records. **Since we do not manage this property full time, we cannot be stated as the statutory agent.** Incomplete forms will be returned by the Assessor so it is important to make sure your form is filled out and signed. If you have any questions, please contact our office.

PROPERTY LAW HIGHLIGHTS (As reprinted from the Arizona Republic)

Here is a summary of the new rental property law:

- The law requires rental property owners, including those in partnerships, trusts or corporations, to provide their county assessor with an owner's name, address and telephone number. Out-of-state owners must also provide the name, address and telephone number of a local agent. Each property must register its parcel number and the year it was built.
- Any property owner who doesn't provide this information is subject to a civil fine of \$1,000 plus \$100 for each day out of compliance. If any owner fails to comply, the property is subject to inspection.
- If the property is not cleaned up, a city, town or county could place it into temporary receivership.
- The criminal abatement statute, which replaces and enhances current statutes, increases fines and gives cities, towns and counties the following new powers to use against recalcitrant owners of property used for criminal activity.
- If an owner or manager fails to take "reasonable action" to stop the criminal activity, the court could assess the owner for the cost of cleaning up his property. That cost would become a lien on the owner's property.
- An owner will be contacted in person or by certified mail and a warning that his property is a criminal nuisance is posted on the premises.
- Any terms and conditions of court orders, including accumulated fines, will be filed in the Office of the Recorder and new owners of the property will become responsible. A sale or transfer of the property will not halt legal action brought against the property.
- If the property is determined to be a nuisance and a threat to public health, safety and welfare and the owner has been notified for thirty (30) days, the court can close all or part of the property and can require the owner to pay for the cost of removing any tenants not part of criminal activity.
- Renters must be notified of such an action and have the right to become a party in any court action.

NOTIFICATION OF ARIZONA RESIDENTIAL RENTAL PROPERTY

Pursuant to A.R.S. §§ 33-1901 and 33-1902 (see reverse side)

INSTRUCTIONS: In compliance with A.R.S. § 33-1902(A): an owner of residential rental property shall maintain with the Assessor in the county where the property is located information required by this section in a manner to be determined by the Assessor. Pursuant to A.R.S. § 33-1902(B): an out-of-state owner of residential rental property shall designate and record with the County Assessor a statutory agent who lives in this state and who will accept legal service on behalf of the owner. If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, include the name, address and telephone number of the business entity and the statutory agent. A person who fails to comply with any provision of this section shall be assessed a civil penalty of one thousand dollars, plus an additional one hundred dollars for each month after the date of the original violation until compliance occurs.

List County in which property is located (required): _____

Check property type: Single Family Residence Multiple Family Residence Mobile Home MH/RV Park Space

Property Address: _____ City/Town/Zip Code: _____

If rented to a family member, state relationship: _____

Parcel Number	_____	_____	_____	_____
	Book	Map	Parcel	Split

For Unsecured Mobile Homes

List Tax Payer Identification Number: _____ (ATTACH LIST FOR ANY ADDITIONAL PARCELS)

List the year the building was built: _____

OWNERSHIP INFORMATION:

NAME OF PROPERTY OWNER/BUSINESS ENTITY: _____

Check below to indicate form of ownership:

Property owner, list owner(s) and statutory agent residing in Arizona (**required for out-of-state owners**):

Owner: _____ Statutory agent: _____

Corporation, list corporate officer: _____ Statutory agent: _____

Limited liability company, list managing or administrative member: _____

Statutory agent: _____

Partnership, list general partner: _____ Statutory agent: _____

Limited partnership, list general partner: _____

Statutory agent: _____

Trust, list trustee: _____ Statutory agent: _____

Real estate investment trust, list general partner or officer: _____

Statutory agent, if applicable: _____

The following information shall be maintained: the name, address, and telephone number of the property owner.

Property Owner(s)/business entity:

Provide telephone #, address, city, state and zip code for property owner(s)/business entity: Telephone # (____) _____

Address: _____ City/State: _____ Zip Code: _____

Statutory agent:

Provide telephone #, street address (no P.O. box), city and zip code for statutory agent: Telephone # (____) _____

Address: _____ City: _____, AZ Zip Code: _____

REQUIREMENT TO UPDATE INFORMATION:

Under penalty of law the owner of Arizona residential rental property shall update any information listed above within ten days after a change in the information occurs.

I hereby affirm that the information included or attached is true and correct.

Print Name of Owner

Print Title

X _____
Signature of owner

Date

33-1901. Definitions

In this article, unless the context otherwise requires:

1. "Managing agent" means a person, corporation, partnership or limited liability company that is authorized by the owner to operate and manage the property.
2. "Residential rental property" means property that is used solely as leased or rented property for residential purposes. If the property is a space rental mobile home park, residential rental property includes the rental space that is leased or rented by the owner of that rental space but does not include the mobile home or recreational vehicle that serves as the actual dwelling if the dwelling is owned and occupied by the tenant of the rental space and not by the owner of the rental space.
3. "Slum property" means residential rental property that has deteriorated or is in a state of disrepair and that manifests one or more of the following conditions that are a danger to the health or safety of the public:
 - (a) Structurally unsound exterior surfaces, roof, walls, doors, floors, stairwells, porches or railings.
 - (b) Lack of potable water, adequate sanitation facilities, adequate water or waste pipe connections.
 - (c) Hazardous electrical systems or gas connections.
 - (d) Lack of safe, rapid egress.
 - (e) Accumulation of human or animal waste, medical or biological waste, gaseous or combustible materials, dangerous or corrosive liquids, flammable or explosive materials or drug paraphernalia.

33-1902. Residential rental property; recording with the assessor; agent designation; civil penalty

A. An owner of residential rental property shall maintain with the assessor in the county where the property is located information required by this section in a manner to be determined by the assessor. The owner shall update any information required by this section within ten days after a change in the information occurs. The following information shall be maintained:

1. The name, address and telephone number of the property owner.
2. If the property is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name, address and telephone number of any of the following:
 - (a) For a corporation, a corporate officer.
 - (b) For a partnership, a general partner.
 - (c) For a limited liability company, the managing or administrative member.
 - (d) For a limited partnership, a general partner.
 - (e) For a trust, a trustee.
 - (f) For a real estate investment trust, a general partner or an officer.
3. The street address and parcel number of the property.
4. The year the building was built.

B. An owner of residential rental property who lives outside this state shall designate and record with the assessor a statutory agent who lives in this state and who will accept legal service on behalf of the owner. The owner shall designate the agent in a manner to be determined by the assessor. The information shall include the name, address and telephone number of the agent.

C. Residential rental property shall not be occupied if the information required by this section is not on file with the county assessor. If the owner has not filed the information required by this section with the county assessor and the residential rental property is occupied by a tenant and the tenant chooses to terminate the tenancy, the tenant shall deliver to the landlord, owner or managing agent of the property a written ten day notice to comply with this section. The notice shall be delivered by certified mail, return receipt requested, or by hand delivery. If the owner does not comply with this section within ten days after receipt of the notice, the tenant may terminate the rental agreement and the landlord shall return all prepaid rent to the tenant. Security deposits shall be returned in accordance with section 33-1321, subsection D. The landlord shall return those monies by certified mail, return receipt requested, or by hand delivery to the tenant within ten days after the termination of the rental agreement. This subsection applies to any existing lease and to any new lease after the effective date of this amendment to this section. Notwithstanding this subsection, an owner is in compliance with this subsection only if the owner had filed the information required by subsection A of this section with the county assessor.

D. All records, files and documents that are required by this section are public records.

E. A person who fails to comply with this section shall be assessed a civil penalty of one thousand dollars, plus an additional one hundred dollars for each month after the date of the original violation until compliance occurs. The court shall not suspend any portion of the civil penalty provided by this subsection.

F. Notwithstanding subsection E of this section, if a person complies within ten days after receiving the complaint that notices the violation, the court shall dismiss the complaint and shall not impose a civil penalty.

G. In carrying out this section the county assessor shall have immunity as provided in section 12-820.01.

**PLEASE RETURN THIS FORM TO:
VICTOR HAMBRICK
YAVAPAI COUNTY ASSESSOR
1015 FAIR STREET
PRESCOTT AZ 86305**