

HOA LAWS & REGULATIONS

- [Federal laws](#) - In addition to state law regulations, the federal government has laws that govern the operation of homeowners' associations, condominiums, and other residential properties in Arizona.
- [Arizona Condominium Act](#), A.R.S. § 33-1201 et. seq.: The Act governs the creation, alteration, termination, and management of Arizona condominiums. The statute applies to all Arizona condominiums regardless of when the condominium was created.
- [Arizona Planned Communities Act](#), A.R.S. §§ 33-1801, et. seq. The Act applies to all planned communities in the state of Arizona. It addresses records retention, member notices, voting, assessment collection, and foreclosure, among other things. See A.R.S. [§33-1801](#) (Applicability; exemptions; voluntary election to be subjected to chapter) and [§33-1802](#) (Definitions).
- [Arizona Nonprofit Corporations Act](#), A.R.S. §§ 10-3101, et seq.: The Act governs nonprofit corporations with regard to corporate structure and procedure. Arizona condominium associations may organize as profit or nonprofit corporations or unincorporated associations ([A.R.S. §33-1241](#)). Planned communities may organize as nonprofit corporations or unincorporated associations ([A.R.S. §33-1802\(1\)](#)). If a condominium or homeowners association is classified as a nonprofit, as with most Arizona associations, it will be governed by the Nonprofit Corporations Act. Visit the [Arizona Corporation Commission](#) to find the association's corporate status.
- [Arizona Civil Rights Act](#) (ACRA), A.R.S. §§ 41-1401, et seq.: The ACRA was enacted to protect Arizonans from discrimination in employment, housing, and public accommodation opportunities. Article 7 of the ACRA is known as the [Arizona Fair Housing Act](#) and protects people's right to access all housing opportunities without discrimination based on race, color, religion, sex, familial status (the presence of children under 18), or national origin. See A.R.S. [§41-1491-14](#) (discrimination in sale or rental), [§41-1491-15](#) (publications of sales or rentals). See also [§41-1491](#) (definitions), [§41-1491.01](#) (discrimination due to familial status), [§41-1491.02](#) (exempt sales and rentals), [§41-1491.04](#) (housing for older persons exempted; rules; liability; definition), and [§41-1491.19](#) (discrimination due to disability; definitions). For associations with common elements open to the general public, see [Article 3 of the ACRA](#) (public accommodations) and [Article 8 of the ACRA](#) (public Accommodation and services).

These state-level protections are similar to the federal [Fair Housing Act](#) (FHA) and the [Americans With Disabilities Act](#) (ADA). If a person believes they have been discriminated against concerning housing, they must [file their complaint](#) with the Arizona Civil Rights Division within 12 months. Victims may also file a complaint with the [Arizona Attorney General](#), [HUD](#), or file a private lawsuit in federal or state court.

Recommended Reading:

- [Examples of Housing Discrimination](#)
- [Joint Statement of HUD and Dept. of Justice Reasonable Accommodations under the Fair Housing Act \(2004\)](#).
- [Joint Statement of HUD and Dept. of Justice Reasonable Modifications under the Fair Housing Act \(2008\)](#).
- [Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act \(2020\)](#).
- [Arizona Real Estate Administrative Hearings \(HOA Dispute Process\)](#), A.R.S. §§ 32-2199 through 32-2199.05. The Act provides Arizonans with a venue for resolving disputes outside the judicial system. The Arizona Department of Real Estate administers the [Homeowners Association Dispute Process](#) and has the statutory authority to hear disputes between homeowners and condominium or planned community associations. [A.R.S. § 32-2199.01](#). A homeowner or association may [petition the department for a hearing](#) concerning violations of association documents or violations of the statutes governing associations. The administrative law judge may order any party to abide by the statute, association documents, or contract provision at issue and may levy a civil penalty based on each violation. [A.R.S. § 32-2199.02\(A\)](#).

HOA Dispute Process

- [HOA Dispute Petition Withdrawal Request](#)
- [HOA Dispute Process Brochure](#)
- [HOA Dispute Request for Rehearing Form](#)
- [Homeowners Association \(HOA\) Dispute Process Petition](#)
- [For sale signs; restrictions unenforceable](#), A.R.S. § 33-441. The law renders unenforceable any covenant, restriction, or condition prohibiting the posting of "for sale" signs.
- [Arizona political signs; printed materials; tampering; violation; classification](#), A.R.S. §16-1019. Political signs are permitted on residential properties and public right-of-way if placed in compliance with the statute's

guidelines and are not hazardous to public safety. See also [A.R.S §33-1808](#) (flag display; political signs; caution signs; for sale, rent or lease signs; political activities) for planned communities and [A.R.S. §33-1261](#) for condominium associations. Under these statutes, associations cannot prohibit the indoor or outdoor display of a political sign on a member's property, except that an association may prohibit the display of political signs earlier than seventy-one days before an election and later than three days after an election day. An association may regulate the size and number of political signs placed on a member's property if the association's regulation is no more restrictive than any applicable city, town, or county ordinance that regulates the size and number of political signs on residential property.

- [Miscellaneous Arizona Revised Statutes Relevant to HOAs](#) - Although it would be nearly impossible to compile a list of every law that might potentially apply to a community association, this list provides some laws not referenced on this page.

SOLAR RIGHTS

- [Restrictions on installation or use of solar energy devices invalid; exception](#), A.R.S. § 33-439. The law voids any covenant, restriction, or condition that effectively prohibits installing or using a solar energy device as defined in [A.R.S. § 44-1761](#). See also *Garden Lakes Comm. Assn. v. Madigan*, 204 Ariz. 238 (Ariz. Ct. App. 2003).
- [Solar energy devices; reasonable restrictions; fees and costs](#), A.R.S. § 33-1816. The law provides that an association cannot prohibit installing or using solar energy devices, as defined in section 44-1761. The law permits associations to impose reasonable restrictions on the placement of solar devices. See also, unreported Arizona case, *Fox Creek Cmty. Ass'n v. Carson*, No. 1 CA-CV 11-0676 (Ariz. Ct. App. Jul. 10, 2012), included as a reference only.
- [Arizona Renewable Energy Production Tax Credit](#)
- [National Renewable Energy Laboratory](#) - The agency provides data sets, maps, models, and tools to analyze energy and energy-efficiency technologies.

GOVERNMENT AGENCIES

- **Federal Agencies** - List of federal agencies with oversight authority over homeowners' associations.
 - **Arizona Department of Real Estate** - The Department is responsible for real estate professionals' licensure, education, and discipline, including community managers and property management companies. The Department also administers the **Homeowners Association Dispute Process**. Homeowners and associations can **submit online questions** regarding the process.
 - **Arizona Attorney General's Office** - The attorney general's office has the authority to investigate alleged violations of the Arizona Civil Rights Act and Fair Debt Collection Practices Act (FDCPA), among other consumer protection matters. Follow the links below to find more information:
 - **Collections and Debt Settlement** - Associations must comply with the Fair Debt Collection Practices Act.
 - **Civil Rights Intake Questionnaire** - If you believe you are a victim of housing discrimination, you may submit this Questionnaire to the Arizona Attorney General's Office.
 - **Arizona Corporation Commission** - The Commission regulates nonprofit corporations. Most Arizona condominium and planned community associations are organized as nonprofits and fall under the Arizona Nonprofit Commission's jurisdiction. All domestic corporations, including nonprofits, are required to file annual reports with the Commission disclosing the corporation's business information, including the names and business addresses of its directors and principal officers, the name of the designated agent or management company for the association, the address for the association and the telephone number, e-mail address and website if any and fax number if any of the association or its designated agent or management company. Associations must file an amended statement reflecting changes in the designated agent or management company within thirty days of any change. See **A.R.S. § 10-11622** (Annual report).
 - **Arizona Department of Housing** - The agency offers foreclosure aid to Arizona homeowners helping with mortgage, taxes, and homeowner's association (HOA) fees.
 - **Arizona Association of Realtors** - The agency provides real estate license information, forms, real estate directory and administers ethics complaints.
 - **Arizona Registrar of Contractors** - The agency oversees construction-defect problems, provides a contractor directory, and administers **contractor-related complaints**.
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FIND HOA INFORMATION AND DOCUMENTS

- [Homeowners' Association Directory](#) - Find an association's contact information, management company, list of active board members, and copies of the articles of incorporation by searching under the subdivision or community name.
- [Association Records and Inspection](#) - After a written request, members of condominium and common interest associations have a statutory right to request, inspect, examine, and make copies of the association records, including all financial records and other records outlined in the applicable statute. However, associations can withhold or redact certain documents—such as closed meeting minutes, documents subject to attorney-client privilege, records relating to disciplinary or collection actions against members, association personnel records, among other records outlined in the applicable statute. See [A.R.S. §33-1258](#) (association financial and other records; applicability) and [A.R.S. §33-1805](#) (association financial and other records) for planned communities. See also [A.R.S. §10-11602](#) (inspection of records by members; applicability) for associations organized as nonprofit corporations.
- [Maricopa Parcel Map](#) - Find legal information for a property or subdivision.
- [Arizona Recorded Document Search](#) - Visit the county recorder's office where the property or association is located to find HOA documents, such as Declaration of Covenants, Conditions, and Restrictions (CC&Rs), Amendments, Bylaws, HOA Notices, Subdivision Maps, Plats, Recorded Land Surveys, Deeds, Deeds of Trust, Liens, and Judgments. An association's declaration must be recorded with the county records to be enforceable.
- [Apache County](#)
- [Cochise County](#)
- [Coconino County](#)
- [Gila County](#)
- [Graham County](#)
- [Greenlee County](#)
- [La Paz County](#)
- [Maricopa County](#)
- [Mohave County](#)
- [Navajo County](#)

- [Pima County](#)
 - [Pinal County](#)
 - [Santa Cruz County](#)
 - [Yavapai County](#)
 - [Yuma County](#)
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LEGAL RESOURCES

- [Arizona Judicial Branch](#) - Find court information, self-help forms, court documents, and legal opinions. The agency also oversees [attorney discipline](#) and offers the following related information:
 - Access the [Disciplinary Cases Matrix](#) of past disciplinary decisions.
 - Obtain a [Certificate of Good Standing](#)
 - Request the [Disciplinary History](#) of a member of the State Bar of Arizona.
- [State Bar of Arizona](#): The public can access a lawyer directory, lawyer referral services, free or low-cost legal services, and information to determine if a lawyer is in good standing. Homeowners can also verify an attorney's malpractice insurance or file a complaint.
- [Office of Administrative Hearings](#) (OAH): The OAH offers legal information, forms, mediation services, court case research, and resources.
- [American Arbitration Association](#) (AAA): The AAA provides alternative dispute resolution (ADR) services.
- [Legal Help](#) - The agency offers free or reduced fee legal assistance to low-income individuals.

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