

# Arizona Legislative Overview – HOA's

The following bills were passed and signed into law by the Governor and affect the Department of [Real Estate](#) and related industries. The general **effective date** of the bills is **July 20, 2011**, unless otherwise stated. Visit the state legislature website at [www.azleg.gov](http://www.azleg.gov) for more information.

**HB2245** homeowners associations; open meetings; recordings – allows persons attending [HOA](#) meetings to tape record or videotape portions of the meeting. The [Board of Directors](#) of an HOA is allowed to adopt reasonable rules governing the taping of open meetings, but may not preclude the [tape recording](#) or videotaping.

**HB2609** homeowners associations; signs; [political](#); leasing – makes various changes to laws governing HOAs; prohibits HOAs from charging fees for the use or placement of an indoor or outdoor display of for rent or lease signs by a property owner on their own property; allows HOAs to prohibit signs that are not commercially produced; permits the HOA to prohibit the number of political signs earlier than 71 days, rather than 45 days before an election through 3 days after, rather than 7 days after an election and states that an HOA cannot prohibit the number of political signs that are displayed, except that maximum aggregate total dimensions of all political signs may not exceed nine square feet.

**HB2717** homeowners' associations; penalties; attorney fees – prevents an HOA from charging a fee for the use or placement of indoor or outdoor display of a for sale or lease sign by a unit owner on their property; clarifies that an HOA shall not prohibit in any other way than as specifically authorized in statute the use of temporary open house signs, a unit owner's or their agent's for sale sign and open house hours for property that is available for sale or lease; states that an HOA or managing agent that violates certain [statutes](#) governing the use of indoor, outdoor or political signs by a property owner on their property forfeits and extinguishes the lien rights authorized by statute against that unit or property for a period of six consecutive months from the date of the violation.

**SB1148** homeowners associations; disputes; administrative hearings – asserts that the Department of Fire, Building and Life Safety applies and enforces the statutes regulating HOAs through its hearing officer function, as well as the interpretation and enforcement of the otherwise private contracts and rules that govern those communities.

**SB1149** planned communities; condominiums; document fees (**Effective Dec. 31, 2011**) – limits the fee that a planned community and [condominium association](#) can charge a unit owner for the preparation of required documents associated with the resale of a unit to an aggregate of \$400.

**SB1326** flag display; homeowners associations – prevents an HOA from prohibiting the display of the [Gadsden Flag](#); prevents an HOA from prohibiting the front or backyard display of flags allowed by statute; allowed HOAs to limit the quantity of flags displayed at one time to no more than two; allowed HOAs to limit the height of the flagpole to no more than the member's rooftop.

**SB1540** political flyers; petitions; homeowners associations – allows HOAs to restrict door to door political activity regarding a candidate or ballot issue from sunset to sunrise; prohibits HOAs from regulating the number of candidates, public officers or propositions supported or opposed on a political sign; states that HOAs may not prohibit door to door political activity or the circulation of political petitions on property normally open to visitors with an HOA.