



**Arizona Homeowners  
Legal Information Services**  
602-228-2891 / [info@pvtgov.org](mailto:info@pvtgov.org)

(updated March 1, 2009)

**2008 HOA statutes & complaint procedures**

**Legal Sources on the Internet**

**STATE OF ARIZONA**

<u>Administrative Code</u> Real Estate Department Registrar of Contractors	<a href="http://www.azsos.gov/public_services/table_of_contents.htm">http://www.azsos.gov/public_services/table_of_contents.htm</a> Title 4, Ch. 28 §§ R4-28-101 et seq. Title 4, Ch. 9 §§ R4-9-101 et seq.
Administrative Procedures Act (APA)	<a href="http://www.azsos.gov/public_services/Intro_Material/APA.htm">http://www.azsos.gov/public_services/Intro_Material/APA.htm</a> A.R.S. §§ 41-1001 to 1092.12
<b>Anti-SLAPP Law</b>	Law suits to dissuade public participation (A.R.S §§ 12-751, 752). <a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/47leg/2r/laws/0234.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/47leg/2r/laws/0234.htm</a>
<u>Attorney General</u>	<a href="http://azag.gov">http://azag.gov</a> (Consumer protection handles real estate misrepresentation; see Consumer Fraud Act below).
Agency Handbook	<a href="http://www.azag.gov/Agency_Handbook/Agency_Handbook.html">http://www.azag.gov/Agency_Handbook/Agency_Handbook.html</a> (Quasi-governmental and Agency rules for operations, records, meetings, etc.)
Constitution	<a href="http://pvtgov.org/pvtgov/ahlis/az_const.pdf">http://pvtgov.org/pvtgov/ahlis/az_const.pdf</a> (excerpts from Art. II., Declaration of Rights)
<u>County Records</u> Maricopa Pima	<a href="http://www.maricopa.gov">http://www.maricopa.gov</a>
<u>Fair Housing</u> Federal Act Arizona Acts	42 U.S.C. 3601 et seq A.R.S. §§ 41-1491 et seq (fair housing); § 41-1491.19 (disability) A.R.S. §§ 36-551 et seq (developmental disabilities act)
Governor	<a href="http://azgovernor.gov">http://azgovernor.gov</a> email: <a href="mailto:governor@az.gov">governor@az.gov</a>
<u>Judiciary</u> Supreme Court Appeals Court - Div1	<a href="http://www.supreme.state.az.us/nav2/supreme.htm">http://www.supreme.state.az.us/nav2/supreme.htm</a> <a href="http://www.cofad1.state.az.us/">http://www.cofad1.state.az.us/</a> (Maricopa)

- Div2 <http://www.cofad2.state.az.us/> (Pima area)  
 Superior Court – Maricopa <http://www.superiorcourt.maricopa.gov/docket/index.asp>  
 - Pima <http://www.cosc.co.pima.az.us/>  
 Justice Court (JP) <http://www.superiorcourt.maricopa.gov/justiceCourts/Info/civilsuits.asp>  
<http://jp.co.pima.az.us/>  
**Rules of Court** <http://www.supreme.state.az.us/rules/> (click on Rules Forum).  
**Legislature** <Http://www.azleg.state.az.us>  
 (bills, representatives)  
**Office of Administrative** <http://www.azoah.com/> (A.A.C. R2-19-101 to 122)  
~~Hearings (OAH)~~ <http://www.azoah.com/HB2824.htm> (for HOA due process info).  
~~Complaint sequence~~ [http://pvtgov.org/pvtgov/ahlis/hoa\\_dfbls\\_flow.gif](http://pvtgov.org/pvtgov/ahlis/hoa_dfbls_flow.gif) (flow chart)  
~~Complaint procedure~~ [http://pvtgov.org/pvtgov/ahlis/oah\\_hoa\\_complaint.pdf](http://pvtgov.org/pvtgov/ahlis/oah_hoa_complaint.pdf)  
 (complaint form must be filed with DFBLs, and is sent to OAH Administrative Law Judge).  
~~Dept. Fire, Building & Life Safety (DFBLs)~~  
~~<http://www.dfbls.az.gov/OA/Downloads/HOA%20Package09012006.pdf>~~  
~~Superior Court Appeals~~ <http://www.azleg.state.az.us/ars/12/00904.htm> /00912.htm.  
 Real Estate Dept <http://www.re.state.az.us>  
**Revised Statutes** <http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp>  
 Arbitration Act [http://pvtgov.org/pvtgov/downloads/ars\\_arbitration.pdf](http://pvtgov.org/pvtgov/downloads/ars_arbitration.pdf)  
 Condo statutes [http://pvtgov.org/pvtgov/downloads/ars\\_condo.pdf](http://pvtgov.org/pvtgov/downloads/ars_condo.pdf) (2004)\*  
**HOA statutes** [http://pvtgov.org/pvtgov/downloads/ars\\_hoa.pdf](http://pvtgov.org/pvtgov/downloads/ars_hoa.pdf) (2007)  
 \*Please see ARS 33-1250 et seq. for amendments.  
 Session Laws <http://www.azleg.state.az.us/sessionlaws.asp> (for new laws before  
 Statutes are reprinted.)  
 Ch. 324 (OAH bill) [Ch 324](#) contains several titles affecting HOAs and condos.  
Use Revised Statutes link above, and click to:  
 Board fiduciary duty Title 10, § 10-3830A.  
 Consumer Fraud Act Title 44, §§ 44-1521 et seq.  
 Criminal actions – Title 13  
     Conspiracy §§ 13-1003 et seq. (to commit an offense)  
     Assault, threats §§ 13-1201 et seq.  
     Facilitation § 13-1004 (to commit an offense)  
     Harassment § 13-2921  
     Public nuisance § 13-2917  
     Telephone calls § 13-2916  
**Public Records access** §§ 39-121 to 126 (Arizona’s FOIA).  
 Statute of Limitations §§ 12-501 et seq.  
 Secretary of State <http://azsos.gov>  
 State Bar <Http://azbar.org>  
 (not a state agency)

## OTHER SOURCES

- AHRC web site (HOA information) <http://ahrc.com>
- Citizens for Const. Local Govt <http://pvtgov.org> (main page)  
<http://pvtgov.blogspot.com> (editorials)
- Elected representatives  
& media personality addresses <http://capwiz.com/wa/dbq/media/>
- The HOA Citizen* newsletter [newsletter](#)
- HOA News Network <http://www.hoanewsnetwork.com/>
- The HOA Primer <http://www.thehoaprimer.org/> (online book)
- Laws, cases, federal/state <http://findlaw.com/>
- Legal self-help books <http://nolo.com/>
- Privatopia Papers <http://privatopia.blogspot.com> (Prof. McKenzie's site)
- State governments (generic) <Http://www.state.NN.us> (replace NN with the appropriate state)
- U. S. Code (federal laws) –  
Freedom of Information Act 5 U.S.C.A. §§ 552, 552(a), 552(b)  
[http://caselaw.lp.findlaw.com/scripts/ts\\_search.pl?title=5&sec=552](http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=5&sec=552)
- RICO 18 U.S.C.A. §§ 1961 – 1968  
[http://caselaw.lp.findlaw.com/scripts/ts\\_search.pl?title=18&sec=1961](http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=18&sec=1961)
- (Deprivation of Rights/color of law) 42 U.S.C.A. § 1983  
[http://caselaw.lp.findlaw.com/scripts/ts\\_search.pl?title=42&sec=1983](http://caselaw.lp.findlaw.com/scripts/ts_search.pl?title=42&sec=1983)
- U.S. Supreme Court <http://www.supremecourtus.gov>