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## **New Legislation Pertaining to Homeowners Associations - 2009**

During this year's session, the Legislature passed one law pertaining to homeowners associations. It will become effective September 30, 2009. Here is a summary of the new legislation.

### **For Sale Signs**

Under Arizona law, neither planned communities nor condominiums may prohibit the indoor or outdoor display of a for sale sign and a sign rider by a unit owner on that owner's property.

Senate Bill 1148 will create a new Arizona Revised Statute § 33-441. In essence, this new law extends the rule against prohibiting for sale signs to all properties subject to deed restrictions, whether or not such properties are located within a planned community or a condominium. Specifically, the law states that "[a] covenant, restriction or condition contained in any deed, contract, security agreement or other instrument affecting the transfer or sale of any interest in real property shall not be applied to prohibit the indoor or outdoor display of a for sale sign and a sign rider by a property owner on that person's property[.]" The only properties excluded from the new law are timeshare properties.

As in the context of planned communities and condominiums, this new law protects not only professional realtor signs but signs that indicate that the property is for sale by owner. The new law also states that the size of the sign and sign rider shall be in conformance with industry standards. The law defines industry standards as a sign that does not exceed 18 x 24 inches. Likewise, the sign rider shall not exceed 6 x 24 inches.