

ACTION ALERT

***Please contact members of the Arizona State Senate,
and ask them to vote NO on SB 1240!***

The Community Associations Institute opposes SB 1240 (HOAs; streets; authority).

SB 1240 declares that HOAs have no authority and cannot regulate any roadway for which ownership has been dedicated to a governmental entity.

- Existing law states that this provision applies only to planned communities for which the declaration was recorded after December 31st, 2014.
- The effective date currently contained in law was the result of an agreement with policymakers who understood that many communities already had limited authority over roadways.
- Arizona law recognizes that citizens can agree not to undertake conduct that otherwise might be permissible. And courts have also upheld that HOAs can control parking on a publicly dedicated street because homeowners contractually gave up their right to park on the street through their CC&Rs!
- The effective date contained in current law ensured that the private contractual rights of existing homeowners were upheld, while ensuring that future HOAs have clear direction with respect to parking on roadways owned by a governmental entity.
- This legislation undoes that agreement, and *will only result in more parking problems* in Arizona's planned communities.

Ask Your Legislator to Vote NO on SB 1240!

To find your Legislative District and who represents you at the Arizona Legislature please click [HERE](#).