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**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of

PETITION TO AMEND RULE
31.3(e)(2), RULES OF THE
SUPREME COURT OF ARIZONA

Supreme Court No. R-25-_____

Petition to Amend Rule 31.3(e)(2),
Rules of the Supreme Court of
Arizona

**EXPEDITED CONSIDERATION
REQUESTED**

Under Rule 28, Rules of the Supreme Court of Arizona, Aaron Nash, Certification and Licensing Division Director, respectfully requests this Court adopt technical corrections to Rule 31.3(e)(2), Rules of the Supreme Court of Arizona, concerning housing-related proceedings before the Arizona Department of Housing and the Arizona Department of Real Estate. A similar petition has not been filed within the last five years.

Expedited consideration in August 2025 is requested under Rule 28(h)(1), Rules of the Supreme Court of Arizona. Correcting the government entities in court rule during the 2025 rules cycle will reduce confusion for the public and housing advocates who take part in related proceedings.

I. Purpose of the Proposed Rule Amendments.

At a Court outreach event after the rule petition filing deadline, the Certification and Licensing Division (Division) became aware that the government entity referred to in court rule had changed, creating potential confusion for landlords, tenants, and housing advocates. This petition is for a technical correction to the names of the successor entities that conduct housing-related proceedings.

A summary by the Arizona State Library, Archives, and Public Records (State Library) states¹:

Until 2016, the Department of Fire, Building and Life Safety enforced safety standards for public buildings, manufactured homes, mobile homes and factory-built buildings. The Department also enforced the State Fire Code and developed administrative procedures to facilitate consumer protection. The Department consisted of the Board of Manufactured Housing, the Installation Standards Committee, the State Fire Safety Committee and the Director of the Department. The Director's office included the Office of Manufactured Housing and the

¹ See https://azlibrary.gov/sla/agency_histories/department-fire-building-life-safety-repealed-2016. Last accessed 2/4/2025.

Office of the State Fire Marshal. The Director was appointed by the Governor.

The State Library further stated²:

Laws 2016, Chapter 128 abolished the Department of Fire, Building and Life Safety and divided its duties and responsibilities among three existing state agencies...

* The measure transferred the duties, responsibilities and programs related to the Office of Manufactured Housing to the Arizona Department of Housing.

* The measure transferred the responsibility to review complaints related to planned community and condominium associations to the Arizona Department of Real Estate.

The proposed rule changes are intended to help the public and advocates locate the correct government entities referred to in the rule.

II. The Proposed Rule Changes.

The proposed changes to Rule 31.3(e)(2) would replace the “Arizona Department of Fire, Building and Life Safety” with the names of its successor

² *Id.*

entities, the “Arizona Department of Housing” and the “Arizona Department of Real Estate” and make other technical corrections.

III. Conclusion.

For the foregoing reasons, Petitioner respectfully requests the Court accept the petition for expedited consideration and amend Rule 31.3(e)(2), Rules of the Supreme Court of Arizona, as proposed in the attached *Appendix*.

RESPECTFULLY SUBMITTED this 4th day of February, 2025.

By:  _____

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APPENDIX

Additions are shown by underline; deletions are shown by ~~strikethrough~~.

Rule 31.3. Exceptions to Rule 31.2

(a) through (d) [No Changes]

(e) Other.

(e)(1) [No Changes].

(2) ~~Department of Fire, Building and Life Safety~~ Arizona Department of Housing and Arizona Department of Real Estate. In any landlord/tenant dispute before the ~~Arizona Department of Fire, Building and Life Safety~~ Arizona Department of Housing or the Arizona Department of Real Estate, a person may represent a party if:

(A) the party has specifically authorized the person to represent the party in the proceeding; and

(B) the person ~~is not~~ is not charging a fee for ~~the~~ representing the party (other than receiving reimbursement for costs).

(e)(3) through End [No Changes].