

# AZ HOA & Condo Quick Reference

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A board member's plain-English cheat sheet for the Arizona statutes that govern community associations — ARS Title 33 Chapter 9 (Condominium Act), Title 33 Chapter 16 (Planned Communities Act), and Title 10 (Nonprofit Corporations) underneath both.

## Title 33 Ch. 9 — Condominium Act

### §33-1241

Organization of unit owners association — corporate framework for every Arizona condo.

### §33-1242

Powers of unit owners association — what the condo board can do; includes the enforcement and fining authority.

### §33-1246

Bylaws — required and permitted contents.

### §33-1248

Open meetings — AZ condo boards meet in the open; notice + agenda required; exceptions limited (attorney consultation, personnel matters).

### §33-1255

Assessments for common expenses — allocation method and the board's authority to assess.

### §33-1258

Association records — owner inspection rights and statutory copy-fee limits.

## Title 33 Ch. 16 — Planned Communities Act

### §33-1803

Assessment limitations; penalty fees — caps on increases and the penalty-fee framework for delinquencies.

### §33-1804

Open meetings — planned-community boards meet in the open with notice; member attendance protected.

### §33-1805

Financial and other records — owners may inspect; reasonable copy fees permitted.

### §33-1807

Lien for assessments — lien creation, priority, and foreclosure framework.

### §33-1812

Proxies; absentee ballots — voting mechanics, including absentee ballot procedure.

### §33-1813

Removal of board members — the member-driven recall procedure unique to Arizona.

## Title 10 — Nonprofit Corporation framework

### §10-3701

Annual and regular meetings — the corporate-level meeting requirement underneath the community-specific rules.

### §10-3705

Notice of meeting — the underlying corporate notice rules; community-specific statutes override where applicable.

### §10-3727

Quorum requirements — corporate-level quorum default when bylaws are silent.

### §10-3801

Requirement for and duties of board — fiduciary baseline for every Arizona association director.

## Meeting notice & deadlines

### Board meeting

Open board meeting with notice and agenda required (§33-1248 condos · §33-1804 planned communities). Specific timing is governed by bylaws but most associations use 48 hours.

### Members meeting

Notice per bylaws + Title 10 §10-3705. Statute requires statement of date, time, place, and (for special meetings) the matters to be acted upon.

### Closed sessions

Permitted only for narrow purposes — attorney consultations, personnel actions, sensitive contract negotiations (§33-1248(B), §33-1804(B)). Vote in open session.

### Enforcement

Most penalty actions require written notice and an opportunity to cure under the bylaws and §33-1803(F).

### Recall vote

Members can call a special meeting to remove a board member under §33-1813; petition + procedure required.

## Official records

### Records inspection

Owners may inspect association financial and other records (§33-1258 condos · §33-1805 planned communities). Board must respond within statutory window.

### Resale disclosure

On sale of a unit/lot, the association must provide a disclosure package — financials, governing docs, current dues — under §33-1260 (condos) or §33-1806 (planned communities).

### Rental property

Owners renting their unit/lot must provide member + agent information under §33-1806.01 (planned communities) or §33-1260.01 (condos).

### Annual audit

Board responsibilities for an annual audit and applicability rules under §33-1810 (planned communities).

## Quorum & voting

### Condo (Ch. 9)

Members quorum set in bylaws; default per §33-1249

Directors quorum + voting under §33-1250

Proxies and absentee ballots permitted; rules under §33-1250

§33-1249 applicability per declaration

### Planned Community (Ch. 16)

Member quorum + voting set in declaration; §33-1815 governs conduct of business

Absentee ballots permitted (§33-1812)

Proxies governed by §33-1812; bylaws may impose stricter rules

Title 10 §10-3727 fills in any gaps the community statute leaves

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*Plain-English summary — not legal advice; confirm against the current statute. SoShiny is the all-in-one portal communities use to run documents, voting, violations, a public website and more. Every feature on every plan: \$20/mo base + \$0.33/unit. soshiny.com*