

FOR SALE SIGNS



Arizona lawmakers passed legislation in 2009 pertaining to “For Sale” signs. The new law creates a new statute which extends the rule against prohibiting for “For Sale” to *all* properties with deed restrictions, not just those located within a planned community or condominium.

While “For Sale” sign statutes that became effective September 19, 2007, for condominiums and planned communities remain intact with no changes, we thought this would be a good time to review the state requirements regarding these signs.

The “For Sale” sign statutes are A.R.S. § 33-1261 for condominiums and A.R.S. § 33-1808 for planned communities. The following is a “For Sale” sign Q & A drafted by the attorneys at Ekmark & Ekmark, LLC to help address questions you may have regarding the “For Sale” sign statutes.

An association may not prohibit the indoor or outdoor display of a for sale sign and a sign rider by a unit owner on that owner’s property. This law protects not only professional realtor signs but signs that indicate that the property is for sale by owner. The 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.

Q: *Does this law apply to limited access or gated communities?*

A: Yes. The language of the statute makes no distinction between limited access and open communities.

Q: *Does this law apply to adult communities?*

A: The law applies to all planned communities and condominium associations, whether or not they are adult communities.

Q: *Can an association require an owner to place the for sale sign in a window, or prohibit the owner from doing so?*

A: No. The law specifically states that the association “shall not prohibit the indoor or outdoor display” of the for sale sign and sign rider.

Q: *Does the law apply to signs for rent?*

A: No. The law does not prohibit an association from restricting signs for rent.

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