

Arizona Commission on Access to Justice
SRL-LJC Workgroup
NOTES
January 25, 2018
2:00 p.m. to 3:30 p.m.

Present: Judge Anna Huberman (chair), Judge Charles Adornetto, Mike Baumstark, Pamela Bridge, Scott Davis

Telephonic: Judge Thomas Berning

AOC Staff: Kathy Sekardi, Julie Graber

Matters considered:

1. Welcome and opening remarks

The January 25, 2018, meeting of the SRL-LJC Workgroup was called to order by Judge Anna Huberman, Chair, at 2:04 p.m.

2. New Rule Petition

Judge Huberman reviewed a new rule petition.

- **R-18-0020 – Pleading Requirements for Subsidized Housing in Eviction Actions**

The rule petition was filed by the State Bar on January 10, 2018. It would add pleading requirements to the complaint if the rental unit is subsidized housing as well as a disclosure requirement regarding rent apportionment between the tenant and the public housing entity.

Rule 5(b)(8): Some workgroup members were concerned that the amendments would require landlords to have to affirmatively state that the rental is not a subsidized housing unit. The following language was suggested: "If the rental is a subsidized housing unit, the complaint must state in bold type: **"This is a subsidized unit."**"

Rule 5(c)(8): Some workgroup members were concerned that the total amount of rent per month would be included several times in the complaint. The workgroup suggested striking "the landlord must state the total amount of the rent per month."

Rule 13(a)(5): Some concerns were raised that the court having to determine whether rent is subsidized is redundant and already part of the court's obligations. There was no consensus other than striking the first sentence.

3. Eviction-Related Projects

- Legal Info Video Logo: Staff requested that members provide alternative logo for Legal Info Videos.
- Review storyboards
 - Landlords – What You Need to Know Before Going to Court
 - Stamp "Breach" over graphic in slide 8.
 - The 5-day Notice graphic in slide 9 should be replaced with a 10-day Notice.

- What Will Happen in Court (*workgroup did not complete the review of this storyboard)
 - Strike “the file contains all the necessary paperwork” and replace with “landlord filed the necessary paperwork” in slide 8.
 - Add “the first time you see the judge” after “You may only request a jury” to slide 17.
 - Strike “legal” in slide 20.
 - Add new slide 20a: “If the judge agrees with you, the case will be dismissed.”
 - Strike “not authorized by law” and replace with “unless the law allows” in slide 21. Add warning graphic.
 - Strike slides 23a to 23d.
- Your Landlord is Taking You to Court
 - Replace the cash image in the graphics in slides 13 and 14 with a certified check.
 - Move “calculated ~~on~~ up to the date that you pay” in slide 10 to the end of slide 11.
 - Strike “money” in slide 16 and replace with “full amount.”
 - Add new slide 19a: “Don’t be late.”

4. Discuss next Access to Justice meeting report

Next steps:

- Staff will forward most up to date version of the storyboards to the workgroup.
- Deadline for workgroup members to make comments: February 16, 2018.
- Workgroup chair to report on the suggested edits to the rule change petition at the February 7, 2018 ACAJ meeting. Add voting item to the agenda.

Meeting adjourned at 4:05 p.m.

Next SRL-LJC Meeting: March 15, 2018