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Pima County Attorney

FROM THE PIMA COUNTY ATTORNEY TO ALL LANDLORDS:

Do you own property in a neighborhood threatened by criminals and drug dealers? Do you want to be a good neighbor, and help make the neighborhood safer for everyone?

The Pima County Attorney's Office is committed to crime free neighborhoods, and we have a new way to help neighborhoods that suffer from criminal activity. Criminal activity on rental property is grounds to evict tenants. Our office will work with you to remove tenants who break the law. We are asking you to join this partnership now, and work with our attorneys to evict criminals from your property.

Here's what you need to do:

* *First, landlords should pre-screen tenants.* Landlords have the right to ask prospective tenants to approve public records searches before they accept them as renters. You should know if your prospective renter has a criminal history which might affect their being a law abiding tenant. We can advise you how to do this.

* *Second, please copy this CRIME FREE ADDENDUM and include it in every lease, with every tenant, whether there is a written lease, or verbal agreement, month to month, or longer term.* It will make clear to your tenants where you stand.

* *Lastly, you need to follow through, and evict tenants who fail to abide by the law, especially when you learn that illegal drugs or weapons are being housed on your property.* Our attorneys are available to advise you and help you with this step. Criminal activity in neighborhoods makes the good people feel unsafe and afraid for their children.

Please work with us to combat crime in all our neighborhoods and make our community a safer place to live. Call the Community Prosecution Program at 740-5600 for additional information and assistance. We must all work together to increase public safety and reduce crime.

Yours Truly,

Barbara LaWall

Barbara LaWall
Pima County Attorney

CRIME FREE LEASE ADDENDUM

In consideration for the execution or renewal of a lease of the dwelling unit identified in the lease, Manager or Owner and Resident agree as follows:

Resident, any member(s) of the resident's household, a guest or any other person affiliated with the resident, at or near the resident premises:

1. Shall not engage in criminal activity, including drug-related criminal activity, on or near the said premises. "Drug related criminal activity" means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use an illegal or controlled substance (as defined in Section 102 of the Controlled Substance Act [21 U.S.C. 802]).

2. Shall not engage in any act intended to facilitate criminal activity.

3. Will not permit the dwelling to be used for, or to facilitate criminal activity.

4. Shall not engage in the unlawful manufacturing, selling, using, storing, keeping or giving of an illegal or controlled substances as defined in A.R.S. 13-3451, at any locations, whether on or near the dwelling unit premises.

5. Shall not engage in any illegal activity, including but not limited to prostitution as defined in A.R.S. 13-3211, criminal street gang activity as defined in A.R.S. 13-105 and A.R.S. 13-2308, threatening or intimidating as prohibited in A.R.S. 13-1202, assault as prohibited in A.R.S. 12-1203, including but not limited to the unlawful discharge of a weapon, on or near the dwelling unit premises, or any breach of the lease agreement that otherwise jeopardizes the health, safety and welfare of the landlord, his agent, or other tenant, or involving imminent or actual serious property damage, as defined in A.R.S. 33-1368.

6. ***VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY.*** A single violation of any of the provisions of this added addendum shall be deemed a serious violation, and a material and irreparable non-compliance. It is understood that a single violation shall be good cause for immediate termination of the lease under A.R.S. 33-1377, as provided in A.R.S. 33-1368. Unless otherwise provided by law, proof of violation shall not require a criminal conviction, but shall be by a preponderance of the evidence.

7. Resident agrees that Manager or Owner may use any police generated report as direct evidence without objection in any court action, including but not limited to eviction.

8. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

9. This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Manager or Owner and Resident.

Resident Signature

Date

Resident Signature

Date

Owner/Property Manager Signature

Date

Name/Address of Property

