

# ARIZONA



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February 4, 2023

Appeals & Constitutional Litigation

Arizona Attorney General Kris Mayes  
Office of the Attorney General  
2005 N Central Ave  
Phoenix, AZ 85004-2926

Dear Attorney General Mayes,

The Arizona Poor People's Campaign, a state chapter of the Poor People's Campaign: A National Call for A Moral Revival, is heartened to learn of your pending reconsideration of Arizona Attorney General Mark Brnovich's nonbinding legal opinion that Tucson's "source of income" law is unconstitutional. The AZ Poor People's Campaign was elated when the Tucson City Council passed its ordinance in September 2022 banning housing discrimination based on source of income. We were likewise dispirited when Attorney General Brnovich issued his legal opinion in December declaring the Tucson ordinance "unconstitutional."

As you know, affordable housing is a significant issue across Arizona, particularly in our urban communities, including Phoenix, Tucson, Flagstaff, and beyond. The U.S. Department of Housing and Urban Development in December 2022 released its [2022 Point-in-Time Estimates of Homelessness Report](#)—key findings about homelessness nationwide and compares how cities and states measure against one another. The report notes Arizona residents experienced a 23% increase in homelessness between 2020 and 2022; 13,000 Arizonans were homeless. The Phoenix area nearly led the nation for rent increases in 2021. Phoenix rents saw an almost 30% increase.

We are also heartened to learn that the City Council of Phoenix is poised to enact an ordinance to further ban housing discrimination based on

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source of income, but awaits your possible reversal of Attorney General Mark Brnovich's legal opinion.

The Arizona Poor People's Campaign urges you to reverse this hurtful and discriminatory non-binding legal opinion and allow Tucson, Phoenix, and other local governments to enact ordinances banning this immoral policy that hurts children and families through legal barriers to housing access.

We would be pleased to respond to any questions that you may have. You may contact us at [Arizona@poorpeoplescampaign.org](mailto:Arizona@poorpeoplescampaign.org), or by calling Greg Olszta, a member of our Policy Committee at 248-496-4104.

Sincerely,

Arizona Poor People's Campaign