

Contact : Sarah Harper, 602-229-2542, 602-402-1341 Sarah.K.Harper@azregents.edu
Julie Newberg, 602-2292534, 602-686-1803, Julie.Newberg@azregents.edu

Arizona Board of Regents Files Motions to Dismiss AG's Lawsuit on University Property Development

Phoenix, Ariz. – Attorneys for the Arizona Board of Regents have filed motions to dismiss the Attorney General's lawsuit targeting university property development. The lawsuit targets legal real estate transactions intended to benefit the university, as permitted by state law.

Four motions to dismiss the suit were filed on behalf of the board:

- [Motion 1](#) – citing the Attorney General's lack of authority to sue the board;
- [Motion 2](#) – citing failure to exhaust administrative remedies;
- [Motion 3](#) – citing unlawful requests that tax-exempt state property be taxed; and
- [Motion 4](#) – citing non-justiciable political questions.

"For decades, the Arizona courts have made clear the Attorney General does not have statutory authority and free purview to file suit against whomever he wants," said ABOR Chair Ron Shoopman. "Yet, [once again](#), we are called to respond to a senseless lawsuit perpetuating false narratives. This lawsuit wastes time and resources at the board and universities, and detracts us from the crucial work we do to serve the students and families of Arizona."

The ABOR motions state that the Attorney General has no statutory authority to bring this suit. Further, the motions state, "even if the AG has the statutory authority to sue his own client...he cannot force the taxing authorities to assess and collect property taxes against tax-exempt property." The [Arizona Constitution](#) provides that land owned by Arizona public universities is exempt from taxation by law.

"The Legislature has established a clear administrative process to value property and determine appropriate tax treatment," said ABOR Executive Director John Arnold. "Instead of allowing that process to move forward, the Attorney General is asking the courts to upend it before it even has a chance to get started. Asking the courts to make decisions best left to elected leaders is bad public policy."