

House Bill 761

By: Representative Mitchell of the 88th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 44-14-162.2 of the Official Code of Georgia Annotated, relating to
2 sales made on foreclosures under power of sale and procedure for mailing or delivery of
3 notice to debtor, so as to provide for notice to the occupant of the property of an impending
4 sale of the property; to provide for related matters; to provide for an effective date; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 44-14-162.2, relating to sales made on foreclosures under power of sale and
9 procedure for mailing or delivery of notice to debtor, is amended by adding a new subsection
10 to read as follows:

11 "(c) No later than 60 days before the date of a proposed foreclosure or date of eviction due
12 to a foreclosure sale on a property, the secured creditor shall send by registered or certified
13 mail addressed to 'Current Resident' at the address of such property a notice in substantially
14 the following form:

15 NOTICE

16 A foreclosure notice on the property located at (insert address) will be published in the
17 legal organ for (insert county) advertising the property located at (insert address) for sale
18 on (insert date). A foreclosure sale of the property may occur on the date advertised. You
19 may want to consult with an attorney because you could be evicted, even if you are a tenant
20 who has fully paid rent and complied with your lease."

21 **SECTION 2.**

22 This Act shall become effective upon its approval by the Governor or upon its becoming law
23 without such approval.

24

SECTION 3.

25 All laws and parts of laws in conflict with this Act are repealed.