

House Bill 1055

By: Representatives Holly of the 116th, Mitchell of the 88th, Cummings of the 39th, Jones of the 143rd, and Myles of the 126th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to
2 landlord and tenant, so as to prohibit certain entities from owning 25 or more single-family
3 homes; to provide for the filing of certain information with the Secretary of State; to provide
4 for inspections; to provide for civil actions by the Attorney General to enforce the provisions;
5 to provide for private rights of action; to provide for damages and remedies; to provide for
6 equitable and injunctive relief; to provide for joinder; to provide for joint and several
7 liability; to provide for construction; to provide for definitions; to provide for a short title;
8 to provide for legislative purpose; to provide for legislative findings; to provide for related
9 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 This Act shall be known and may be cited as the "Neighborhood Ownership, Transparency,
14 and Accountability (NOTA) Act."

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15 **SECTION 2.**

16 The purpose of this Act is to balance the interests of building wealth through the use of
17 business entities acquiring properties for rental purposes with the state, local, and individual
18 economic benefits that result from having a citizenry broadly engaged in and accruing the
19 advantages attendant to home ownership. This Act further encourages county and municipal
20 governments to use their home rule powers to limit the purchase of single-family homes by
21 corporate entities and encourage investment by corporate entities into housing development
22 and local communities to compensate for the reduction of affordable housing. The purpose
23 of this Act is not to inhibit ownership of property but to the address the needs of citizens of
24 this state.

25 **SECTION 3.**

26 The General Assembly finds that:

- 27 (1) Georgia has experienced significant high rental costs and housing proceeds;
- 28 (2) It is becoming increasingly common for business entities to purchase substantial
29 numbers of single-family homes for use as rental properties;
- 30 (3) The purchase of properties by business entities lowers the supply of and increases the
31 cost of homes; and
- 32 (4) Home ownership is recognized as one of the most reliable ways to build wealth,
33 permitting owners to build equity which can serve as reserves in times of need and, in
34 terms of passive income, increases in market value due to such owned property.

35 **SECTION 4.**

36 Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and
37 tenant, is amended by adding a new article to read as follows:

38

"ARTICLE 739 44-7-130.40 As used in this article, the term:41 (1) 'Affiliate' means a person, other than an individual, that wholly or substantially owns,
42 is wholly or substantially owned by, or is under common ownership with another person.43 (2) 'Individual' means a natural person.44 (3) 'Person' means any fiduciary, firm, association, partnership, limited liability
45 company, corporation, or other business entity or group acting as a unit. Such term
46 includes officers and employees of a corporation; members, managers, and employees
47 of a limited liability company; and members and employees of a partnership who, as an
48 officer, employee, member, or manager acts on behalf of a business entity with which
49 they are associated or on behalf of an affiliate of such business entity. Such term shall
50 not include government entities.51 (4) 'Qualifying county' means a county with a population greater than 150,000 as of the
52 most recent United States decennial census.53 (5) 'Single-family home' means a residential structure that is either a fully detached or
54 semidetached building or is a row or townhome that:55 (A) Is separated from the adjacent unit by a ground to roof wall;56 (B) Does not share heating or cooling systems or utilities; and57 (C) Does not have units located above or below it.58 44-7-131.59 A person and affiliates of such person shall not purchase a single-family home in a
60 qualifying county for a purpose other than for use by such person as a residence if the
61 person and affiliates of such person own 25 or more single-family homes that are used
62 primarily for rental purposes.

63 44-7-132.

64 (a) A person and affiliates of such person shall provide the following information relative
65 to such person and any such affiliates to the Secretary of State by September 1, 2026, and
66 by January 30 annually thereafter:

67 (1) Any equity or debt financing from any business entity providing equity or debt
68 financing of \$5 million or greater including:

69 (A) The name of the entity;

70 (B) The place of incorporation;

71 (C) The type of equity or debt financing; and

72 (D) The amount of equity or debt financing;

73 (2) The number of properties owned in this state, the United States, and internationally;

74 (3) The number of evictions for the previous year; and

75 (4) Identifying information of all properties owned in this state, including:

76 (A) Address;

77 (B) Ownership of the property;

78 (C) Amount of rent charged;

79 (D) Appraised value; and

80 (E) Management company information, including:

81 (i) Name;

82 (ii) Address; and

83 (iii) Contact information.

84 44-7-133.

85 A person and affiliates of such person shall have a property inspection conducted on each
86 single-family home owned by the person and by such affiliates verifying adherence with
87 local regulations. A person and affiliates of such person shall publicize the results of such
88 inspection within 30 days of a request to publish such results.

89 44-7-134.

90 (a) The Attorney General may bring an action to enforce the provisions of this article on
91 his or her own initiative for civil penalties, injunctive relief, or any relief as the court deems
92 appropriate.

93 (b) A person, individual, or municipal or county government may bring an action against
94 any person or affiliate of such person that acquires a single-family home in violation of this
95 article. The court may impose civil penalties of up to \$100.00 per day per each
96 single-family home acquired in violation of this article. The court may award:

97 (1) Equitable relief;

98 (2) General and special damages;

99 (3) Attorney's fees and costs; and

100 (4) Punitive damages of up to \$50,000.00 or three times the total damages, costs, and
101 fees, whichever is greater.

102 (c) A court may award a prevailing defendant attorney's fees and costs upon finding that
103 the action was frivolous or was brought for an improper purpose, including to harass, cause
104 undue delay, or needlessly increase the cost of litigation.

105 (d) In an action brought pursuant to subsections (a) and (b) of this Code section, a court
106 may grant a motion for joinder of any affiliate defendant for the purposes of ensuring a
107 proper accounting regarding the total number of single-family homes owned by the named
108 defendant and any affiliates of such defendant and permitting proper enforcement,
109 remedies, and damages.

110 (e) Liability may be established against individual defendants or jointly and severally for
111 the named defendant and any parties joined pursuant to subsection (d) of this Code section.

112 (f) This article shall not be construed to limit the rights and remedies available to the state
113 or to any individual or person under any other law, and shall not alter or restrict the
114 Attorney General's authority to enforce this article."

115 **SECTION 5.**

116 This Act shall become effective upon its approval by the Governor or upon its becoming law
117 without such approval and shall apply to all purchases of single-family homes occurring on
118 or after such date.

119 **SECTION 6.**

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