

House Bill 1115

By: Representatives McCollum of the 30<sup>th</sup>, Burchett of the 176<sup>th</sup>, Fleming of the 114<sup>th</sup>,  
Stephens of the 164<sup>th</sup>, and Efstoration of the 104<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to  
2 regulation of specialized land transactions, so as to prohibit institutional investors and other  
3 enterprises from obtaining, owning, or possessing an interest in more than 2,000  
4 single-family residences; to provide a private cause of action against a residential home  
5 poacher that obtains, owns, or possesses an interest in more than 2,000 single-family  
6 residences; to provide an effective date; to provide a short title; to provide for related matters;  
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "End Home Poaching Act."

11 **SECTION 2.**

12 Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of  
13 specialized land transactions, is amended by adding a new article to read as follows:

H. B. 1115

14 "ARTICLE 8

15 44-3-260.

16 As used in this article, the term:

17 (1) 'Affiliate' means any entity that directly or indirectly owns or controls, is owned or  
18 controlled by, or is under any other common ownership or control with a residential home  
19 poacher.

20 (2) 'Claimant' means an aggrieved person who seeks recovery of damages under this  
21 article; provided, however, that such term shall not include a government entity or any  
22 officer or employee of a government entity acting in his or her official capacity.

23 (3) 'Government entity' means any office, agency, authority, department, commission,  
24 board, body, division, instrumentality, or institution of the executive, legislative, or  
25 judicial branch of the state government or of any political subdivision within this state.

26 (4) 'Residential home poacher' means any institutional investor, corporation, association,  
27 partnership, limited liability company, limited partnership, trust, issuer, or other private  
28 legal entity organized under the laws of this state, the United States, the District of  
29 Columbia, or any other state, territory, or dependency of the United States or under the  
30 laws of a foreign country engaged in obtaining, owning, or possessing, directly or  
31 indirectly, including, but not limited to, through one or more affiliates or shareholders,  
32 any interest in single-family residences.

33 (5) 'Single-family residence' means a parcel of real property that has upon it a detached  
34 residential structure that contains between one and three individual dwelling units, each  
35 of which is designed for the exclusive use and occupation by one family, or townhouse.

36 (6) 'Townhouse' means an individual residential dwelling unit within a larger structure  
37 that contains two or more attached residential dwelling units constructed in a row where  
38 each residential dwelling unit is designed exclusively for use and occupation by one

39 family, is located on an individual lot or parcel, and shares at least one common wall with  
40 an adjacent unit.

41 44-3-261.

42 (a) For taxable years beginning on or after January 1, 2026, any residential home poacher  
43 obtaining, owning, or possessing, directly or indirectly, including, but not limited to,  
44 through one or more affiliates or shareholders of such residential home poacher, any  
45 interest in more than 2,000 single-family residences shall submit, between December 1 and  
46 December 31 of each taxable year, a report under penalty of perjury to the state auditor  
47 indicating the total number of single-family residences in which it possesses an interest as  
48 of the date of submission.

49 (b) On and after January 1, 2027, it shall be unlawful for any residential home poacher to  
50 obtain, own, or possess, directly or indirectly, including, but not limited to, through one or  
51 more affiliates or shareholders of such residential home poacher, an interest in more than  
52 2,000 single-family residences. Any claimant may bring a civil action in any court of  
53 competent jurisdiction against a residential home poacher that violates this subsection to  
54 recover the costs incurred by the claimant in bringing such action, including reasonable  
55 attorney's fees, and the greater of actual damages caused by such violation or statutory  
56 damages in the amount of \$15,000 for each violation. For purposes of this subsection, each  
57 single-family residence in which a residential home poacher obtains, owns, or possesses  
58 an interest in violation of this subsection shall constitute a separate violation.

59 (c) An action pursuant to subsection (b) of this Code section shall be brought within four  
60 years from the last day a residential home poacher came to own or possess an interest in  
61 one or more single-family residences in violation of subsection (b) of this Code section.  
62 Such action may be brought in a representative capacity and may be the subject of a class  
63 action under Code Section 9-11-23.

64 (d) Notwithstanding any provision of law to the contrary, no government entity or any  
65 officer or employee of a government entity acting in his or her official capacity, including,  
66 without limitation, the Attorney General, any district attorney, or any county attorney, shall  
67 be entitled to intervene in an action brought pursuant to subsection (b) of this Code section;  
68 provided, however, that nothing in this subsection shall prohibit the filing of an amicus  
69 curiae brief in such action.

70 44-3-262.

71 It shall be an affirmative defense to an award of monetary relief in an action brought  
72 pursuant to subsection (b) of Code Section 44-3-261 if the defendant residential home  
73 poacher in such action can demonstrate that:

74 (1) The claimant who brought such action can only recover statutory damages under  
75 subsection (b) of Code Section 44-3-261; and

76 (2) The defendant residential home poacher no longer owns or possesses an interest in  
77 the single-family residence that is the subject of such action, and has, during the  
78 pendency of such action or no more than 30 days prior to the initiation of such action,  
79 paid a judgment for the full amount of statutory damages provided under subsection (b)  
80 of Code Section 44-3-261 that was awarded in a separate action for the same violation  
81 of subsection (b) of Code Section 44-3-261 giving rise to the current action."

82 **SECTION 3.**

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

85 **SECTION 4.**

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