

House Bill 1221

By: Representatives Draper of the 90<sup>th</sup>, Oliver of the 84<sup>th</sup>, Evans of the 57<sup>th</sup>, Gunter of the 8<sup>th</sup>,  
and Leverett of the 123<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated,  
2 relating to property owners' associations, so as to provide for written notice of certain sums;  
3 to provide for a reasonable time to pay outstanding sums; to provide for an itemized list of  
4 attorney's fees claimed; to provide for an order finding reasonableness; to provide for related  
5 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 6 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to  
10 property owners' associations, is amended by adding new subsections to Code Section  
11 44-3-232, relating to assessments against lot owners as constituting lien in favor of  
12 association, additional charges against lot owners, procedure for foreclosing lien, and  
13 obligation to provide statement of amounts due, to read as follows:

14 "(f) Before an association can collect reasonable attorney's fees, it shall provide:

15 (1) Written notice by certified mail to the lot owner identifying any outstanding fines or  
16 delinquent fees;

- 17 (2) Lot owners with a reasonable amount of time to pay such outstanding fines or  
18 delinquent fees; and
- 19 (3) An itemized list of reasonable attorney's fees claimed; provided, however, that the  
20 following fees shall not be deemed reasonable:
- 21 (A) Time spent on unnecessary tasks;  
22 (B) Time spent on duplicative work;  
23 (C) Time spent preparing exhibits to prove matters of fact a defendent has admitted in  
24 his or her answer, admitted in his or her responses to discovery, or has otherwise  
25 stipulated to; and
- 26 (D) Time spent in routine collection of judgments, including, but not limited to,  
27 receiving payments and forwarding payments to plaintiffs.
- 28 (g) Judges conducting bench trials for an action to recover sums assessed against a lot  
29 owner shall review such claims of attorney's fees for reasonableness and shall enter an  
30 order stating whether the attorney's fees were reasonable before an association can be  
31 awarded such attorney's fees."

32 **SECTION 2.**

33 This Act shall become effective on July 1, 2026, and shall apply to all actions filed on or  
34 after such date.

35 **SECTION 3.**

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