

House Bill 1389

By: Representatives Santos of the 117th, Mitchell of the 88th, Gilliard of the 162nd, Frye of the 122nd, Burnough of the 77th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated,
2 relating to dispossessory proceedings, so as to extend a notice to vacate or pay to seven days;
3 to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Article 3 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to
7 dispossessory proceedings, is amended in Code Section 44-7-50, relating to demand for
8 possession, procedure upon a tenant's refusal, and notice to vacate or pay, by revising
9 subsections (c) and (d) as follows:

10 "(c) In all cases when a tenant fails to pay the rent, late fees, utilities, or other charges
11 owed to the landlord when it becomes due, if the tenant refuses to pay the amount due or
12 fails to deliver possession when so demanded after being provided with a notice to vacate
13 or pay all past due rent, late fees, utilities, and other charges owed to the landlord within
14 ~~three~~ seven business days, the owner or the agent, attorney at law, or attorney in fact of
15 such owner may immediately go before the judge of the superior court, the judge of the
16 state court, or the clerk or deputy clerk of either court, or the judge or the clerk or deputy

17 clerk of any other court with jurisdiction over the subject matter, or a magistrate in the
18 district where the land lies and make an affidavit under oath to the facts. Such affidavit
19 may likewise be made before a notary public.

20 (d) The demand for possession notice under subsection (a) of this Code section or the
21 ~~three-day~~ seven-day notice to vacate or pay under subsection (c) of this Code section shall
22 be posted in a sealed envelope conspicuously on the door of the property and delivered via
23 any additional method or methods agreed upon in the rental agreement."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.