



15 "(e) If a lot owner pays the annual assessment by the due date and has no other outstanding  
16 balance due to the association, the association shall provide the lot owner a certificate of  
17 good standing within 45 days and without cost to the lot owner."

18

## SECTION 2.

19 Said article is further amended by revising subsection (a) of Code Section 44-3-232, relating  
20 to assessments against lot owners as constituting lien in favor of association, additional  
21 charges against lot owners, procedure for foreclosing lien, and obligation to provide  
22 statement of amounts due, as follows:

23 "(a) Prior to obtaining a lien for unpaid assessments pursuant to this subsection, the  
24 association shall offer the lot owner and, if so requested by the lot owner, participate in  
25 alternative dispute resolution in accordance with Code Section 44-3-232.2. All sums  
26 lawfully assessed by the association against any lot owner or property owners' association  
27 lot, whether for the share of the common expenses pertaining to that lot, fines, or otherwise,  
28 and all reasonable charges made to any lot owner or lot for materials furnished or services  
29 rendered by the association at the owner's request to or on behalf of the lot owner or lot,  
30 shall, from the time the sums became due and payable, be the personal obligation of the lot  
31 owner and constitute a lien in favor of the association on the lot, provided that the  
32 association has complied with this Code section and Code Section 44-2-232.2. Such lien  
33 shall be prior and superior to all other liens whatsoever except:

- 34 (1) Liens for ad valorem taxes on the lot;
- 35 (2) The lien of any first priority mortgage covering the lot and the lien of any mortgage  
36 recorded prior to the recording of the declaration; ~~or~~
- 37 (3) The lien of any secondary purchase money mortgage covering the lot, provided that  
38 neither the grantee nor any successor grantee on the mortgage is the seller of the lot; and
- 39 (4) Liens on the lot for unpaid medical bills.

40 The recording of the declaration pursuant to this article shall constitute record notice of the  
41 existence of the lien, and no further recordation of any claim of lien for assessments shall  
42 be required."

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### SECTION 3.

44 Said article is further amended by adding a new Code section to read as follows:

45 "44-3-232.2.

46 (a) As used in this Code section, the term 'alternative dispute resolution' means mediation,  
47 arbitration, conciliation, or other nonjudicial procedure that involves a neutral party in the  
48 decision-making process.

49 (b)(1) An association shall adopt a written policy providing for a fair, reasonable, and  
50 expeditious alternative dispute resolution procedure for resolving any dispute regarding  
51 sums assessed by the association.

52 (2) The association shall provide a copy of such policy to each lot owner annually and  
53 shall make a copy of such policy available to a lot owner upon request.

54 (c) In developing an alternative dispute resolution procedure pursuant to this Code section,  
55 an association shall make maximum, reasonable use of available local dispute resolution  
56 programs involving a neutral third party, including low-cost mediation programs.

57 (d) A fair, reasonable, and expeditious alternative dispute resolution procedure shall, at a  
58 minimum, satisfy all of the following requirements:

59 (1) The procedure may be invoked by a lot owner. A request invoking the procedure  
60 shall be in writing;

61 (2) The procedure shall provide for prompt deadlines. The procedure shall state the  
62 maximum time for the association to act on a request invoking the procedure;

63 (3) If the procedure is invoked by a lot owner, the association shall participate in the  
64 procedure; and

65 (4) A lot owner shall not be charged a fee to participate in the process."

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**SECTION 4.**

67 This Act shall not apply to contracts entered into prior to July 1, 2023, before the expiration  
68 or first renewal of such contract.

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**SECTION 5.**

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