

House Bill 1157

By: Representatives Jackson of the 68<sup>th</sup>, Holly of the 116<sup>th</sup>, Bazemore of the 69<sup>th</sup>, and Glaize of the 67<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia  
2 Annotated, the "Fair Business Practices Act of 1975," so as provide that a violation of the  
3 statute limiting certain rent increases is an unlawful business practice; to amend Chapter 7  
4 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and tenant, so as  
5 to provide for rent increase limits; to provide for definitions; to provide for exceptions; to  
6 provide for defense in eviction actions; to provide for related matters; to provide a short title;  
7 to provide for an effective date and applicability; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Fair Rent Control Act of 2024."

12 **SECTION 2.**

13 Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, the  
14 "Fair Business Practices Act of 1975," is amended in subsection (b) of Code Section  
15 10-1-393, relating to unfair or deceptive practices in consumer transactions unlawful and

16 examples, by striking "and" at the end of paragraph (34), striking the period at the end of  
17 paragraph (35) and inserting "; and" in lieu thereof, and by adding a new paragraph to read  
18 as follows:

19 "(36) Failure to comply with the provisions of Code Section 44-7-25 regarding limitation  
20 of rent increases."

21 **SECTION 3.**

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

24 "44-7-25.

25 (a) As used in this Code section, the term:

26 (1) 'Landlord' means the owner, lessor, or sublessor of a rental property.

27 (2) 'Rent' means the consideration demanded or received in connection with the use and  
28 occupancy of a residential property. Such term does not include a security deposit or  
29 other fund held in trust for the tenant but includes other fees, costs, and consideration,  
30 regardless of whether such fee, cost, or consideration is denominated as rent.

31 (3) 'Rental agreement' means an oral, written, or implied agreement between a landlord  
32 and tenant for use or occupancy of a residential property and associated services.

33 (4) 'Residential property' means a structure, or a room or group of rooms within a  
34 structure, used or intended for use, in whole or in part, for residential purposes.

35 (5) 'Senior citizen' means a person who is 65 years of age or over.

36 (6) 'Tenant' means a person who occupies a residential property pursuant to a rental  
37 agreement.

38 (b) Except as provided in subsection (d) of this Code section, no landlord shall:

39 (1) Increase the rent during the fixed term of a rental agreement, except as explicitly  
40 provided in the terms of such rental agreement;

41 (2) Increase the rent on a residential property by more than 3 percent of the lowest rent  
42 charged for that residential property at any time during the 12 months prior to the date on  
43 which the increase takes effect;

44 (3) Increase the rent without providing at least 120 days of notice prior to the increase;  
45 or

46 (4) Increase the rent more than 2 percent annually for tenants between the ages of 18 and  
47 26 who are full-time college students and tenants who are senior citizens whose primary  
48 source of income is from payments received pursuant to the federal Social Security Act,  
49 including retirement and survivor's benefits, supplemental security income benefits, and  
50 disability income benefits.

51 (c)(1) A senior citizen who has been a tenant in the same residential unit for more than  
52 five years shall be granted additional protections against eviction, except in cases of  
53 nonpayment of rent, violation of rental agreement terms, or legal grounds as provided in  
54 this chapter.

55 (2) A rent freeze option shall be available for senior citizens whose annual income is no  
56 more than 10 percent above the poverty threshold as provided by the United States  
57 Department of Health and Human Services. Such option shall allow for the rent to  
58 remain at a fixed rate for a period of up to five years, subject to renewal based on income  
59 review.

60 (3) If a senior citizen tenant has a disability, landlords shall make reasonable  
61 accommodations in accordance with the federal Americans with Disabilities Act or other  
62 relevant provisions, and any rent increase related to these accommodations shall not  
63 exceed the 2 percent increase as provided in paragraph (4) of subsection (b) of this Code  
64 section.

65 (d) This Code section shall not apply to:

66 (1) A residential property constructed after 2024, and such properties are exempt from  
67 the provisions of this Code section for up to 15 years after the date of construction;

68 (2) A residential property with rent that is controlled, regulated, or subsidized by any  
69 governmental unit, agency, or authority; or

70 (3) A dormitory constructed and maintained in connection with an institution of higher  
71 education for the use and occupancy of students in attendance at the institution.

72 (e) A violation of this Code section shall be an unlawful practice under Part 2 of Article 15  
73 of Chapter 1 of Title 10, the 'Fair Business Practices Act of 1975.'

74 (f) It shall be an affirmative defense and counterclaim in any eviction action that the  
75 landlord has charged rent in excess of the amount allowed under this Code section."

76 **SECTION 4.**

77 This Act shall become effective on January 1, 2025, and shall apply to residential lease  
78 agreements that are entered into or renewed on or after that date.

79 **SECTION 5.**

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