

House Bill 1429

By: Representative Adesanya of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to
2 landlord and tenant, so as to provide for limitations on rent increases for seniors and veterans;
3 to provide for definitions; to provide for defense in dispossessory actions; to provide for an
4 automatic repeal; to provide for applicability; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

10 "44-7-25.

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

12 (1) 'Dwelling unit' means a structure, or a room or group of rooms within a structure, that
13 is used as a primary residence by a tenant.

14 (2) 'Landlord' means an owner of record, agent, lessor, or sublessor, or the successor in
15 interest thereof, of a dwelling unit.

16 (3) 'Rent' means the consideration demanded or received in connection with the use and
17 occupancy of a dwelling unit. Such term does not include a security deposit or other fund
18 held in trust for the tenant but includes other fees, costs, and consideration, regardless of
19 whether such fee, cost, or consideration is denominated as rent.

20 (4) 'Rental agreement' means an oral, written, or implied agreement between a landlord
21 and a tenant for use or occupancy of a dwelling unit and associated services.

22 (5) 'Tenant' means an individual who is entitled by a rental agreement, subtenancy
23 approved by the landlord, or sufferance to occupy a dwelling unit and:

24 (A) Who is 62 years of age or older, a veteran, or both; and

25 (B) Whose primary source of income is from payments received pursuant to the federal
26 Social Security Act or the federal Veterans' Benefits Act, including retirement and
27 survivor's benefits, supplemental security income benefits, and disability income
28 benefits.

29 (6) 'Veteran' means an individual who served on active duty in the armed forces of the
30 United States and who was honorably discharged from such service.

31 (b) No landlord shall, over the course of a 12 month period, renew the rental agreement
32 or enter into a new rental agreement for a dwelling unit with the existing tenant of such
33 dwelling unit that increases the rent payable by the existing tenant for such dwelling unit
34 more than the lower of:

35 (1) Five percent of the lowest rent charged for that dwelling unit at any time during
36 the 12 months prior to the date on which the increase takes effect, plus the percentage rate
37 of change over such 12 month period reflected in the Consumer Price Index as reported
38 by the Bureau of Labor Statistics of the United States Department of Labor; or

39 (2) Ten percent of the lowest rent charged for that dwelling unit at any time during the 12
40 months prior to the date on which the increase takes effect.

41 (c) It shall be an affirmative defense and counterclaim in any dispossessory action filed
42 against a tenant that the landlord has charged rent in excess of the amount allowed under
43 this Code section.

44 (d) This Code section shall stand automatically repealed on January 1, 2034."

45 **SECTION 2.**

46 This Act shall apply to residential lease agreements that are entered into or renewed on or
47 after July 1, 2024.

48 **SECTION 3.**

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