

House Resolution 626

By: Representatives Teasley of the 37th, Powell of the 32nd, Hatchett of the 150th, and Trammell of the 132nd

A RESOLUTION

1 Creating the House Study Committee on Property Owners' Associations, Homeowners'
2 Associations, and Condominium Associations; and for other purposes.

3 WHEREAS, property owners' associations, homeowners' associations, and condominium
4 associations were established as a means of governing and paying for the maintenance and
5 improvement of the common areas of condominiums and subdivisions and to provide for the
6 upkeep of property to protect the value of all of the properties in such associations; and

7 WHEREAS, property owners' associations, homeowners' associations, and condominium
8 associations have had through the years the mission of ensuring that owners of properties
9 under such associations do not allow their properties to be unkempt or in a state of disrepair
10 and unsightly; and

11 WHEREAS, in some cases, property owners' associations, homeowners' associations, and
12 condominium associations have imposed what many believe to be excessive fees for property
13 transfers, certification letters, initiation fees, and similar actions by owners subject to such
14 associations; and

15 WHEREAS, these associations also impose fines for violations of the associations' rules for
16 which the owners have little to no due process provided and an inability to appeal such fines.

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

18 (1) **Creation of House study committee.** There is created the House Study Committee
19 on Property Owners' Associations, Homeowners' Associations, and Condominium
20 Associations.

21 (2) **Members and officers.** The committee shall be composed of five members of the
22 House of Representatives to be appointed by the Speaker of the House of
23 Representatives. The Speaker shall designate a member of the committee as chairperson
24 of the committee.

25 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
26 issues, and problems mentioned above or related thereto and recommend any action or
27 legislation which the committee deems necessary or appropriate.

28 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
29 may conduct such meetings at such places and at such times as it may deem necessary or
30 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
31 accomplish the objectives and purposes of this resolution.

32 (5) **Allowances and funding.**

33 The legislative members of the committee shall receive the allowances provided for in
34 Code Section 28-1-8 of the Official Code of Georgia Annotated. The allowances
35 authorized by this resolution shall not be received by any member of the committee for
36 more than five days unless additional days are authorized. Funds necessary to carry out
37 the provisions of this resolution shall come from funds appropriated to the House of
38 Representatives.

39 (6) **Report.**

40 (A) In the event the committee adopts any specific findings or recommendations that
41 include suggestions for proposed legislation, the chairperson shall file a report of the
42 same prior to the date of abolishment specified in this resolution, subject to
43 subparagraph (C) of this paragraph.

44 (B) In the event the committee adopts a report that does not include suggestions for
45 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
46 of this paragraph.

47 (C) No report shall be filed unless the same has been approved prior to the date of
48 abolishment specified in this resolution by majority vote of a quorum of the committee.
49 A report so approved shall be signed by the chairperson of the committee and filed with
50 the Clerk of the House of Representatives.

51 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
52 House of Representatives a copy of the minutes of the meetings of the committee in lieu
53 thereof.

54 (7) **Abolishment.** The committee shall stand abolished on December 1, 2017.