

Summary of Proposed Senate Bill 107 (as of January 5, 2026)

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Status: Senate Read Second Time on 03.04.2025

- This proposed bill applies to condominium associations, property owners' associations, and homeowners associations.
- This proposed bill would amend O.C.G.A. § 44-3-109 of the Condominium Act and would amend O.C.G.A. § 44-3-232 of the POAA.
- This proposed bill would add multiple provisions to Title 4, Chapter 3 of the Official Code of Georgia Annotated.
- This proposed bill limits an association's collection and foreclosure rights:
 - Prohibits foreclosure if the total lien amount is less than the total assessments amount for the preceding 12 months.
 - Prohibits foreclosure if the lien amount consists solely of fines and any late charges or costs associated with such fines.
 - Prohibits an association or board member, current or former, from bidding at a judicial foreclosure sale.

- Provides a 180 day right of redemption to the owner who was foreclosed upon and details the process for such right of redemption.
- This proposed bill limits an association's collection and lien rights:
 - Requires an association to waive "all assessments or installment thereof" if a unit owner:
 - Dies with an insolvent estate and the personal representative certifies in writing that the estate is insolvent; or
 - Becomes disabled and the disabled owner certifies in writing that because of such disability is experiencing financial hardship.
 - Such waiver of the obligation to pay assessments shall continue for a period of not less than 12 months.
 - Awards attorney fees to an owner that challenges an association's failure to comply with said waiver provision.
- This proposed bill creates within the Department of Community Affairs an Office of the Community Association Ombudsman:
 - Such Office of the Ombudsman shall develop policies and procedures to assist owners and associations.
 - Such Office of the Ombudsman shall coordinate and assist in the preparation of educational materials for owners and associations
 - Such Office of the Ombudsman shall compile and maintain a registration of each community association operation in the State of Georgia, which registration shall include:
 - The association's name, address, and phone number;
 - The name of the association's managing agents;
 - The names, addresses, and telephone numbers of the association's board members;
 - The number of units in the community;
 - The total annual assessment required to be paid by each owner; and
 - The number of foreclosure completed by the association.

- Such Office of the Ombudsman shall adopt policies and procedures for the submission of complaints from unit owners and associations, investigate any such complaints submitted, and offer to mediate the dispute.
- Such Office of the Ombudsman shall issue opinions on disputes between owners and associations.
 - If an opinion of the Office of the Ombudsman relates to recommending the waiver of fines, the board of directors for the association is required to present said recommendation to the entire membership of the community for a 120-day period. Unless the membership rejects the recommendation of the Office of the Ombudsman by a majority vote, then the fines and all related late fees intestest, and other charges must be waived by the association.,
- Such Office of the Ombudsman may oversee an association's election, upon a petition from 15% of the total membership or 6 owners, whichever is greater.
- All associations shall pay an annual registration fee to the Office of the Ombudsman in the amount of \$25.00 per Unit.