

Summary of Proposed Senate Bill 107 (as of January 22, 2026)

Sponsors:

1. Donzella James
2. Harold Jones, II
3. Sheik Rahman
4. RaShaun Kemp
5. Jason Esteves
6. Ed Harbison
7. Kenya Wicks
8. Randal Mangham
9. Tonya Anderson
10. Nan Orrock
11. Sonya Halpern
12. Michal “Doc” Rhett
13. Freddie Powell Sims
14. Gail Davenport

Status: Senate Committed 01.12.26.

- 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 \$2,000.00.
 - Prohibits foreclosure if the lien amount consists solely of fines and any late charges or costs associated with such fines.



- Provides a 120 day right of redemption to the owner who was foreclosed upon and establishes the process for such right of redemption as to the association as the winning bidder and as to a 3rd party as the winning bidder.
- 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;

CAI-Georgia
1595 Peachtree Pkwy
Suite 204-356
Cumming, Georgia 30041
www.cai-georgia.org



- The total annual assessment required to be paid by each owner; and
- The number of foreclosures 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.
- 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.