

House Bill 1405

By: Representatives Crawford of the 84th, Mitchell of the 88th, Roberts of the 52nd, Davis of the 87th, and Draper of the 90th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated,
2 relating to security deposits, so as to provide that prior to tendering a security deposit, the
3 tenant shall be presented with a comprehensive list of any existing damage to the premises
4 and shall include an itemization of all fees associated with such tenant's lease; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to
9 security deposits, is amended by revising subsection (a) of Code Section 44-7-33, relating
10 to lists of existing defects and of damages during tenancy, inspection of premises by landlord
11 upon termination of lease and vacation or surrender of premises, right of tenant to inspect and
12 dissent, and action to recover security deposit, as follows:

13 "(a) Prior to tendering a security deposit, the tenant shall be presented with a
14 comprehensive list of any existing damage to the premises and shall include an itemization
15 of all fees associated with such tenant's lease, which shall be for the tenant's permanent
16 retention. The tenant shall have the right to inspect the premises to ascertain the accuracy

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17 of such list prior to taking occupancy. The landlord and the tenant shall sign the list, and
18 this shall be conclusive evidence of the accuracy of the list but shall not be conclusive as
19 to latent defects. If the tenant refuses to sign the list, the tenant shall state specifically in
20 writing the items on such list to which he or she dissents and shall sign such statement of
21 dissent."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.