



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Legislation Text

File #: 2023-1603, Version: 1

Public Hearing: YES NO

Department: Board of Commissioners - District 2

SUBJECT:

Commission District(s): All Commission Districts

An Ordinance Requiring That the Attached Notice of Certain Georgia Landlord (Lessor) And Tenant (Lessee) Rights and Responsibilities (Exhibit A) Shall be Provided by All Landlords Leasing Real Property or Living Units Within DeKalb County Georgia for Residential Purposes, Prior to the Signing Of Any Lease And as an Attachment to Any Unsigned Lease Agreement, to Prospective Tenants Seeking to Lease Any Such Property or Unit; And Requiring That Both Parties to Every Such Residential Lease Shall Sign the Attached Notice Acknowledging Its Receipt Upon Signing Such Lease; And for Other Purposes.

Information Contact: Commissioner Michelle Long Spears

Phone Number: 404-371-2863

PURPOSE:

To adopt an ordinance requiring that the attached notice of certain Georgia Landlord (Lessor) and Tenant (Lessee) Rights and Responsibilities (Exhibit A) shall be provided by all landlords leasing real property or living units within DeKalb County, Georgia for residential purposes, prior to the signing of any lease and as an attachment to an unsigned lease agreement, to prospective tenants seeking to lease any such property or unit; and requiring that both parties to every such residential lease shall sign the attached notice acknowledging its receipt upon signing such lease; and or other purposes.

NEED/IMPACT:

During the COVID-19 pandemic, DeKalb County created the Tenant-Landlord Assistance Coalition (TLAC) program to provide emergency rental assistance to tenants in financial distress from pandemic-related causes. The Atlanta Legal Aid Society (ALAS) administered that program as DeKalb County's partner, connecting applicants with program resources. A significant percentage of the eviction cases were due to tenants withholding rent to force a landlord to repair a variety of substandard housing conditions. Since this is not a legal action in Georgia, evictions were filed by landlords in response. While other States provide tenants the right to withhold rent in certain circumstances, Georgia does not.

This legislation seeks to help tenants understand when signing a lease that they cannot withhold rent, even in cases when the tenant's living conditions may be somehow substandard, unhealthy, or unsafe. The legislation seeks not only to notify renters of this Georgia law, but also to direct them to DeKalb County and non-profit resources that can help them resolve a variety of potential challenges, either with substandard, unhealthy, or unsafe housing conditions, or other conditions that may lead to an eviction filed against them. The goal of this legislation is to reduce evictions and these destabilizing impacts.

FISCAL IMPACT:

No fiscal impact.

RECOMMENDATION:

Adopt the ordinance requiring that the attached notice of certain Georgia Landlord (Lessor) and Tenant (Lessee) Rights and Responsibilities (Exhibit A) shall be provided by all landlords leasing real property or living units within DeKalb County, Georgia for residential purposes, prior to the signing of any lease and as an attachment to an unsigned lease agreement, to prospective tenants seeking to lease any such property or unit; and requiring that both parties to every such residential lease shall sign the attached notice acknowledging its receipt upon signing such lease; and or other purposes and authorize the chief executive officer to execute all necessary documents.