

RENTERS, YOU HAVE NEW RIGHTS!



The **2024 Safe at Home Act** gives important new protections for Georgia renters. This flyer explains your new rights and reminds you of your existing rights.

Before Moving In:

- Your landlord may not charge you a **security deposit** that is more than two months' rent. ☆
- Whether your lease is in writing or not, your landlord must provide a unit that is "**fit for human habitation.**" ☆ This means the property must be in a condition that is decent for human beings to live in. **The landlord must perform needed repairs.** The property must meet housing code requirements.
- You are entitled to **inspect the property** you will be renting with your landlord before you move in and when you move out.

During Your Tenancy:

- **Landlords must keep the premises in repair.** You should tell your landlord about any repairs you need. Keep a written record of those communications.
- Under Georgia law, tenants are **not allowed to withhold rent for repair issues.** You may subtract the cost of repairs from the rent payment if you give written notice of the need for the repair, the landlord does not make the repair in a reasonable time, you hire a professional to make the repair, and you have a receipt.
- Landlords must keep the property "**fit for human habitation**" while you live there. ☆
- Landlords cannot try to remove you from your home without going through eviction proceedings in court. You can only be evicted if a judge gives the landlord permission by issuing an order.
- If the landlord tries to evict you without a court order, you should take pictures and keep records about what happened. Discuss your options with an attorney.

Before You Can Be Evicted:

- If you did not pay your rent or other charges on time, your landlord must tell you in writing to move out or pay all money owed within **3 business days** before they can file for eviction. The landlord must wait at least 3 business days from when they give you the notice and accept the payment due. If you still have not paid, then they can file for an eviction. ☆
- If you prove in court that you paid the back rent, or that your landlord did not give you the written notice or did not wait at least 3 business days, the court can stop the eviction.
- After you receive an eviction notice from the court, you have only 7 days to file an Answer. An Answer is a written response that you must file with the court. In the Answer, explain why your landlord does not have the legal right to evict you. You can also raise counterclaims against your landlord.
- If you complained to your landlord or Code Enforcement about health or safety problems with your rental before your landlord filed the eviction and you were current on rent, the eviction may be illegal retaliation.
- If you file your Answer on time, the court will schedule a hearing. You can stay in the home while you wait for the hearing. Check your mail regularly for updates from the court.

☆ These rights took effect on 7/1/2024 and provide additional protections.

At and After the Court Hearing

- You must attend the hearing and bring your evidence. Evidence could be your lease, rent receipts, photos, and witnesses.
- If you did not file an Answer or attend the hearing, the court will allow your landlord to get a writ of possession to evict you immediately.
- If you attend the hearing and the court issues an order to evict you, you cannot be forced to leave for at least 7 days after the date of the order. After 7 days, your landlord can get a writ of possession to evict you.
- You have the right to appeal within 7 days. To appeal, you will have to pay all of the past-due rent. If you want to stay in the home during the appeal, you must also pay rent each month.
- If the court issues a writ of possession to evict you, a Marshal or an approved off-duty law enforcement officer ☆ must be present when the eviction takes place.
- It is unpredictable how long it will take law enforcement to put you out of the home. It could happen any time after the landlord gets a writ of possession. You may not get any advance notice of when the eviction will take place. Move quickly to find a new home once your landlord gets a writ of possession.



Questions?

If you have questions about the maintenance and repair issues with your home, you may contact **Atlanta Legal Aid** at (404) 524-5811 or atlantalegalaid.org/get-help/ or **Atlanta Volunteer Lawyers Foundation** at (404) 521-0790 or avlf.org/get-help/.

If you live outside the 5-county metro Atlanta area, contact **Georgia Legal Services Program** at (833) 457-7529 or glsp.org/need-help/ to talk to someone about your specific situation.



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