

Landlord Retaliation Is Now Illegal In Georgia!

Atlanta Volunteer Lawyers Foundation || 404-521-0790

What is House Bill 346?

H.B. 346 is a Georgia law that protects tenants from retaliation by their landlords. It goes into effect on **July 1, 2019**.

Landlords owe certain duties to their tenants. Some duties are required by law, and others are written in leases. By law, Georgia requires landlords to:

- Repair and maintain the place you rent
- Keep the place you rent in safe condition

Before H.B. 346, it was legal for landlords to punish tenants who asked them to follow the law. For example, landlords could evict tenants who tried to get them to repair unsafe living conditions. Or, landlords could raise rents for tenants who complained to Code Enforcement about the mold growing in their apartment.

Now, H.B. 346 makes it illegal for landlords to do that.

Does H.B. 346 apply to me?

H.B. 346 protects tenants in certain situations. Below is a list of some of the situations where H.B. 346 would protect you.

If you . . .

- Asked your landlord to make a repair;
- Called Code Enforcement or another government office that is responsible for building or housing codes about a repair or maintenance issue; *or*
- Were part of a tenant organization that discussed safety and health issues

And your landlord, within 3 months of your action . . .

- Filed an eviction against you;
- Locked you out of your apartment;
- Reduced services you were getting;
- Raised your rent; *or*
- Ended your lease

If any of the above situations applies to you, you may be protected under H.B. 346. If you choose to sue your landlord and win, you can get back one month's rent plus \$500 and court costs.

Does H.B. 346 mean landlords can never do any of those things?

No. H.B. 346 only protects against retaliation by your landlord. Your landlord can still evict you, raise your rent, reduce your services, or end your lease in certain situations.

*When can a landlord evict me or end my lease, and it is **not** considered retaliation?*

- If you are behind on rent when your landlord gives you notice that you are being evicted;
- If you, a member of your family, or one of your guests purposely damages part of the apartment;
- If you, a member of your family, or one of your guests threatens your landlord, your landlord's employees, or another tenant;
- If you commit a crime or do something that is not allowed in your lease; *or*
- If you stay in your apartment past the end-date written in your lease

*When can a landlord increase my rent or reduce my services, and it is **not** considered retaliation?*

- If the lease you signed allows them to do so;
- If your landlord also raises rent or reduces services for the entire building or complex; *or*
- If your landlord raises rent because you or your landlord are part of a federal or state program that provides federal funds, tenant assistance, or tax credits

However, even if your landlord's action is not considered retaliation, it still may be unlawful for a different reason. Contact Atlanta Volunteer Lawyers Foundation at 404-521-0790 to see what options you might have.

Know Your Tenant Rights!