

**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1423

AN ORDINANCE BY COUNCILMEMBERS AMIR R. FAROKHI, ANTONIO BROWN AND MATT WESTMORELAND TO AMEND CHAPTER 94 (HUMAN RELATIONS), SO AS TO ADD A NEW ARTICLE IX ENTITLED “LANDLORD-TENANT SECURITY DEPOSIT REGULATIONS”; TO PROVIDE FOR RELATED REGULATIONS, REQUIREMENTS AND PROCEDURES; AND FOR OTHER PURPOSES.► (HELD 6/9/20 BY THE COMMITTEE FOR FURTHER REVIEW)

WHEREAS, the City of Atlanta (“City”) is charged with the protection of the public health, safety, and welfare of the citizens of the City; and

WHEREAS, upfront costs associated with moving into residential rental properties have continued to increase and burden residential tenants, many of whom are already cost-burdened and contribute in excess of 30% of their monthly income to housing-related expenses; and

WHEREAS, requiring that tenants are given flexible options around security deposits in residential rental agreements can provide upfront cost relief to prospective tenants, while ensuring landlords are reasonably protected against damages and unpaid rent.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: The Atlanta City Code of Ordinances, Chapter 94 (Human Relations), is hereby amended by adding a new Article IX entitled “Landlord-Tenant Security Deposit Regulations”, which shall read as shown on Exhibit “A” attached hereto and incorporated herein by this reference.

Section 2: All ordinances or parts of ordinances in conflict with this ordinance are waived to the extent of any conflict.

EXHIBIT A

Article IX - LANDLORD-TENANT SECURITY DEPOSIT REGULATIONS

Sec. 94-150 - Policy Declaration.

It is the purpose of this Article and the policy of the City of Atlanta to protect and promote the public health, safety and welfare of its citizens and to establish rights and obligations of the landlord and the tenant in the rental units in the City.

Sec. 94-151 - Definitions.

Security deposit means money or any other form of security given by a tenant to a landlord which shall be held by the landlord on behalf of a tenant by virtue of a residential rental agreement and shall include, but not be limited to, damage deposits, advance rent deposits, and pet deposits. Such term shall not include nonrefundable fees, or money or other consideration which are not to be returned to the tenant under the terms of the residential rental agreement or which were to be applied toward the payment of rent or reimbursement of services or utilities provided to the tenant.

Sec. 94-152 - Security Deposit.

(a) Upon a tenant's request, all landlords who own and/or control more than ten rental units and require a security deposit shall offer to accept any one of the following options in lieu of the required security deposit:

(1) Rental security insurance that satisfies the following criteria:

(i) The insurance provider is an approved carrier licensed by, and in good standing with, the Department of Insurance of the State of Georgia;

(ii) The coverage is effective upon the payment of the first premium and remains effective for the entire lease term; and

(iii) The coverage provided per claim is no less than the amount the landlord requires for security deposits;

(2) Payment of the security deposit over a series of no less than six equal monthly installment payments, which installments shall be due on the same day as the monthly rent payment and which may be paid together with the monthly rent payment in a single transaction, absent separate agreement by the landlord and tenant; or

(3) Payment of a reduced security deposit, which amount shall be no more than fifty percent of the monthly rental rate charged for the subject rental unit.

(b) Prior to entering into a rental agreement, a landlord shall provide the tenant written notice of the available security deposit alternative.

(c) The provisions of this paragraph shall not apply to a deposit placed with a landlord to secure the availability of a rental unit more than sixty days prior to the commencement of the rental period.

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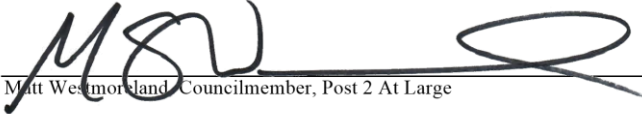
SPONSOR SIGNATURES



Amir K Farokhi, Councilmember, District 2



Antonio Brown, Councilmember, District 3



Matt Westmoreland, Councilmember, Post 2 At Large

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Workflow List:

Atlanta City Council	Completed	06/01/2020 1:00 PM
Community Development/Human Services Committee	Completed	06/09/2020 1:30 PM
Atlanta City Council	Completed	06/15/2020 1:00 PM
Community Development/Human Services Committee	Completed	06/23/2020 1:30 PM
Atlanta City Council	Completed	07/06/2020 1:00 PM
Community Development/Human Services Committee	Completed	07/14/2020 1:30 PM
Atlanta City Council	Completed	08/03/2020 1:00 PM
Community Development/Human Services Committee	Completed	08/11/2020 1:30 PM
Atlanta City Council	Completed	08/17/2020 1:00 PM
Community Development/Human Services Committee	Pending	08/25/2020 1:30 PM

HISTORY:

06/01/20 Atlanta City Council REFERRED WITHOUT OBJECTION

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION
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06/09/20 Community Development/Human Services Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE [UNANIMOUS]
MOVER:	Amir R Farokhi, District 2
SECONDER:	Matt Westmoreland, Chair
AYES:	Westmoreland, Bond, Smith, Farokhi, Brown, Archibong, Sheperd

06/15/20 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 6/23/2020 1:30 PM
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06/23/20 Community Development/Human Services Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 7/6/2020 1:00 PM
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07/06/20 Atlanta City Council RETURNED AS HELD

**RETURNED AS HELD TO COMMUNITY DEVELOPMENT/HUMAN SERVICES
COMMITTEE WITHOUT OBJECTION**

RESULT:

RETURNED AS HELD

Next: 7/14/2020 1:30 PM

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No Vote

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	