



Legislative Tracking Report

Week of February 5th

15 Down, 25 to Go! Now is the Time to Engage!

Monday concluded the 15th day of the 40-day legislative session during this critical election year. Few bills have passed out of committee or moved from one house to the other thus far due to a large amount of election year wrangling, but a schedule has been adopted through the remainder of the session. Cross-Over Day, the day by which all bills must move from one body to the other in order to be eligible for passage this year, is February 28, and the last day of the session is slated for March 29th. Legislative action is picking up this week and is anticipated to quicken considerably.

Thank you for raising your voices for affordable housing. The high level of attention to affordability in the just competed Atlanta Mayor's race, combined with a strong economy that still demonstrates a wide and growing housing affordability gap, and continued challenges with evictions and homelessness has increased awareness of the need for legislation to increase access to homes that are affordable for Georgia families.

Please contact your legislator to express your position on these bills. Identify your legislators [here](#) and how to contact them [here](#).

Legislative Tracking: Key Bills

[HB 642](#) – Beltline Taxing District

This "Beltline Legislation" allows a city or county with a "surface transportation project" (as narrowly defined in the Act) to create or renew a special improvement district and levy a special improvement tax on real property to fund supplemental services (defined as "including, but not limited to, advertising, promotion, sanitation, security, **affordable housing**, infrastructure projects, trails, and other development related services") for the district.

Creation of the special improvement district requires the adoption of a district plan supported by a written petition signed and acknowledged by either 51 percent of the taxpayers of the district or taxpayers owning property that equals at least 75 percent of the assessed value of property in the district. Additionally the district plan must include the structure of an administrative board for the special improvement district – which must include a panel of not less than five and not more than 13 property owners who are residents or represent commercial property owners of taxable property located in the district.

Status: The Bill has bipartisan support. Pending in the [House Governmental Affairs Committee](#).

Georgia ACT Position: Support

[HB 456](#) – Land Contracts

This bill proposes to provide some consumer protections against “land contracts” which are “executory contracts” for the conveyance of residential real property that buyers often enter into believing they are engaging in a traditional fee simple purchase. The bill requires specific notices to the purchaser of the fact that the “seller” retains ownership of the property until the contract is fulfilled, a right to cancel the contract within 14 days, and other protections.

Note: This legislation offers protection against the misinformation and inequities associated with the use of Land Installment Contracts. Also known as a contract for deed, Land Installment Contracts are a form of seller financing where a “buyer” is responsible for making payments for up to 30 years but - unlike a sale with a mortgage - does not receive a deed until completing payment of the full purchase price. During the term of the contract, the buyer takes on the obligation to make repairs and pay property taxes and homeowner’s insurance. Typically, any default can result in a “forfeiture,” with the seller keeping all money paid and evicting the buyer like a tenant. In the wake of the foreclosure crisis, land contracts, which have racist roots starting in the 1930’s, experienced a revival among Wall Street backed investors. Many land contracts lure primarily low-income people of color into the false promise of homeownership, with many buyers thinking they are building up equity in the home – only to lose it all.

Status: The Bill is pending in the House [Judiciary](#) Committee.

Georgia ACT Position: Support

[HR 158](#) – Dedication of Revenues

The proposed Constitutional Amendment would authorize the General Assembly to provide by general law for the dedication of revenue derived from fees or taxes to the specific public purpose for which such fees or taxes were imposed without a statewide referendum. Such a dedication of revenue away from the general fund would still require a 2/3 vote of both houses to pass, be reauthorized or end. Adoption of this measure, which would require a statewide referendum to become law, would ease the ability to dedicate revenue for focused activities, such as affordable housing.

Status: This bipartisan measure passed out of House Ways & Means Committee and is pending in the House Rules Committee, awaiting a vote to put it on the calendar for a House floor vote.

Georgia ACT Position: Support

[HB 851](#) – Expiration of Low-Income Housing Credits

This Bill would end the State Low-Income Tax Credit Program on December 31, 2023

Status: Introduced and first read on 2/17/18. Assigned to the House Ways and Means Committee.

Georgia ACT Position: Oppose

[HB 719](#) -Housing Authorities Housing Homeless Veterans

This Bill would requiring housing authorities to develop and implement policies granting housing preferences to veterans who are homeless individuals.

Status: This bipartisan bill is in the House Defense and Veterans [Affairs](#) Committee.

Georgia ACT Position: Support

[HB 745](#) – Lease Termination Based on Family Violence

This bill would provide a way for a tenant to terminate a residential rental agreement under circumstances involving family violence.

Note: Another lease termination bill for domestic violence victims ([see HB 834](#)) was filed in the House on 2/6/18.

Status: This bipartisan bill is pending in the House [Judiciary Committee](#).

Georgia ACT Position: Support

[HB 741](#) – Valuation of Low Income Housing Tax Credit Property

This measure would change the way that tax assessors are able to use an income valuation to determine the fair market value of property. HB 196 which passed last year

required tax assessors to use the income approach when determining fair market value (FMV) for low income producing property, and had the effect of requiring assessors compare property with low-income housing tax credit financing to other low-income housing tax credit properties when determining FMV. HB 741 changes the law so that the use of the income approach must be *considered* (as opposed to requiring that it be "utilized") in determining the FMV of income-producing property and that income and expense data voluntarily supplied by the property owner shall be *one component* (as opposed to "considered in") such determination. *Experts are working to determine whether this would have an adverse impact on low income tax credit properties as a result of recent court decisions.*

We are seeking a deeper understanding of the implications of this legislation as currently worded to determine whether to support or oppose its passage.

Status: This bill is pending in the House Ways & Means Committee, which is chaired by the second sponsor.

Georgia ACT Position: Seeking more information.

Watching for Possible New Legislation

We anticipate that legislation will be introduced soon on these important issues:

- **Healthy Homes** legislation would protect residential tenants filing a code enforcement complaint from eviction, increased rent or cutoff of utilities.

- **Atlanta/Fulton Tax** legislation regarding valuation of residential property.

Additional Advocacy Opportunities

William McFarland, Housing Georgia Relationship Manager and **Elizabeth Appley, Esq.**, Housing Georgia Public Policy Advocate both presented to the **Latin American Association's State of Latinos in Georgia statewide conference on affordable housing**, to strengthen advocacy capacity and awareness of key affordable housing issues facing Georgia today among the Latino community.

We are also working to engage the **Georgia Department of Community Affairs (DCA)** on these important issues:

- Enforcing OCGA §8-3-171 which directs DCA to produce a **State Housing Goal Report to the Georgia General Assembly** every two years that identifies the state's housing needs and housing accomplishments and outlines plans for achieving the state housing goal.
- Adopting recommendations from the October 2017 federal audit of [DCA's HomeSafe Program](#) regarding the state's expenditure of \$339 Million in federal Hardest Hit funds. The audit includes 30 recommendations about how the state could better distribute these funds to help prevent residential foreclosure: [Mismanagement of the Hardest Hit Fund in Georgia](#).



Housing Georgia Policy Advocate Elizabeth Appley, Georgia ACT President & CEO Bambie Hayes-Brown and Relationship Manager William McFarland meet with Rep. Jimmy Pruett, Chair of the House State Planning & Community Affairs Committee (r. to l.), which provides oversight to DCA.