



Georgia Tenant Rights

Notices, repairs, deposits and the eviction process —
and where to get help

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Georgia Tenant Rights

Notices, repairs, deposits and the eviction process — what Georgia law requires of landlords, what tenants must do to protect themselves, and where to get free help fast.

The most important rule. If you receive court papers (a "dispossessory" summons), you generally have **seven days** from service to file an answer with the magistrate court. If you do nothing, the landlord can win by default. Answer first, then get help.

I. Your basic rights as a renter

- **A home fit to live in.** Since July 1, 2024, every residential lease in Georgia includes a warranty that the home is fit for human habitation, and it cannot be waived (O.C.G.A. §§ 44-7-13(b), 44-7-2(b)(1)). Landlords must keep the premises in repair (§ 44-7-13).
- **Utilities stay on.** A landlord may not knowingly cut off cooling, heat, light or water before an eviction case is finally decided (§ 44-7-14.1).
- **Deposit limits.** For leases entered or renewed on or after July 1, 2024, a security deposit may not exceed two months' rent (§ 44-7-30.1).
- **No retaliation.** A landlord may not evict, end the lease, cut services or raise rent within three months because you complained in good faith about unsafe conditions, asked for legally required repairs, or joined a tenant group (§ 44-7-24).
- **No lock-outs.** A landlord must use the court. Only a sheriff or marshal can remove a tenant, and only after a court issues a writ of possession.
- **Fair housing.** Discrimination because of race, color, religion, sex, national origin, disability or familial status is illegal under the federal Fair Housing Act and Georgia law.

2. How an eviction works in Georgia

Step	What happens	What you should do
1. Notice	For nonpayment under leases entered or renewed on or after July 1, 2024, the landlord must give written notice allowing three business days to pay everything owed or move, posted in a sealed envelope on your door and sent any other way the lease requires (§ 44-7-50(c)–(d)).	Pay in full within the three business days if you can — that stops the filing. Keep proof of payment.
2. Filing	The landlord files a dispossessory affidavit in magistrate court; you are served with a summons.	Note the service date and count seven days.
3. Answer	You file an answer (written or oral at the clerk's office) within seven days. You can raise defenses such as payment, repairs not made, improper notice or retaliation.	Bring your lease, receipts, photos, texts and repair requests.
4. Hearing	A judge hears both sides. Many courts offer mediation.	Attend on time. Ask about mediation or a payment agreement.
5. Judgment and appeal	If the landlord wins, you generally have seven days to appeal; you may need to pay rent into the court registry while the appeal is pending.	Talk to legal aid right away about appeal options.
6. Writ of possession	After the waiting period, a sheriff or marshal can carry out the writ.	Arrange to move your belongings; ask about timing.

Paying to stop a nonpayment case

Georgia law lets a tenant, in many cases, stop a nonpayment eviction by paying all rent and fees owed plus court costs within seven days after being served — but generally only once in a twelve-month period (§ 44-7-52). Ask the court clerk or legal aid whether this applies to you.

3. Repairs and unsafe conditions

1. **Ask in writing.** Text, email or letter — describe the problem, when it started, and request repair by a reasonable date. Keep copies.
2. **Document it.** Dated photos and videos, and notes of every conversation.
3. **Call code enforcement** for serious problems such as no heat or cooling, leaks, mold, pests, electrical or sewage hazards. An inspection report is strong evidence.
4. **Keep paying rent** unless a lawyer advises otherwise. Withholding rent on your own can lead to eviction for nonpayment.
5. **Know your protection.** Good-faith complaints and repair requests are protected from retaliation for three months (§ 44-7-24).

4. Security deposits

- **Move-in list.** Landlords generally must give you a written list of existing damage to review and sign before you move in. Check it carefully and add anything missing.
- **Move-out.** Take dated photos when you leave, return keys, and give your forwarding address in writing.
- **Return.** Georgia law generally requires the landlord to return the deposit, or a written list of deductions, within one month after the lease ends (§ 44-7-34).
- **Normal wear and tear** cannot be charged against your deposit.

5. Before you sign a lease

- Read the whole lease, including fees, late charges, repair procedures and how notices are delivered.
- Get every promise in writing.
- Confirm the deposit does not exceed two months' rent.
- Walk through the unit and note every problem on the move-in list.
- Keep a copy of the signed lease and every receipt.

6. Avoid eviction "shortcuts"

Templates do not stop evictions. Notices claiming the landlord lacks "standing," affidavits of "non-receipt," private "estate" filings or sovereign-status papers are not recognized defenses in magistrate court. Relying on them instead of filing a proper answer often leads to a default judgment and a faster move-out. See our guide *Paperwork Myths*.

7. Where to get help

Need	Where to go
Free civil legal help (metro Atlanta)	Atlanta Legal Aid — atlantalegalaid.org
Find legal aid anywhere in the U.S.	Legal Services Corporation — lsc.gov
Find a licensed Georgia attorney	State Bar of Georgia — gabar.org
Court information and self-help	Georgia Courts — georgiacourts.gov , and your county magistrate court
Rental and emergency assistance	Call or text 211 — 211.org
Housing help and counseling	HUD — hud.gov/topics/rental_assistance
Housing discrimination	HUD Fair Housing complaints — hud.gov

Quick checklist if you receive eviction papers

1. Write down the date you were served.
2. File your answer within seven days at the magistrate court.
3. Gather your lease, receipts, notices, photos and messages.
4. Call legal aid and 211 the same day.
5. Go to every hearing, on time.

General education only — not legal advice, and no attorney-client relationship is created. Georgia law changed on July 1, 2024 (Safe at Home Act); some protections apply only to leases entered or renewed on or after that date. Procedures vary by county; confirm deadlines with your magistrate court or a licensed attorney. Reviewed October 12, 2026.