



**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1423

AN ORDINANCE BY COUNCILMEMBERS AMIR R. FAROKHI, ANTONIO BROWN, MATT WESTMORELAND, MICHAEL JULIAN BOND, CARLA SMITH, AND JOYCE M. SHEPERD AS AMENDED BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE 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.

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 have the choice of providing rental security insurance and installment payments as an alternative to traditional security deposits in residential rental agreements will provide upfront cost relief to individuals and families entering into said rental agreements, 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.

A true copy,


Foris Webb III
Municipal Clerk

ADOPTED *as amended* by the Atlanta City Council
APPROVED per City Charter Section 2-403

OCT 05, 2020
OCT 14, 2020

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**UPDATED EXHIBIT A (09.29.2020)****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 of dwelling units in the City.

Sec. 94-151 – Definitions.

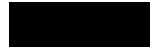
Security deposit means money or any other form of security given by a tenant to a landlord which shall be held by the landlord on behalf of a tenant by virtue of a residential rental agreement and shall include, but not be limited to, damage deposits, advance rent deposits, and pet deposits. Such term 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 more than sixty percent (60%) of the monthly rental rate charged for the subject rental unit shall offer to accept one of the two 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 insurance provider, policy, and coverage amount must be submitted to and approved by the landlord as an acceptable option in lieu of the required security deposit;
- (iii) The coverage is effective upon the payment of the first premium and remains effective for the entire lease term;
- (iv) The insurance must permit the payment of premiums on a monthly basis unless the tenant selects or agrees to a different payment schedule;
- (v) The coverage provided per claim is no less than the amount the landlord requires for security deposits; and
- (vi) A tenant who chooses this option in lieu of security deposit shall not be required to provide additional security or insurance coverage per claim in an amount greater than the amount required for security deposits.



- (2) Payment of the security deposit over a series of no less than three (3) 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
- (b) Prior to entering into a rental agreement which requires a security deposit more than sixty percent (60%) of the monthly rental rate charged for the subject rental unit, a landlord shall provide the tenant written notice of the available alternatives.
- (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.
- (d) The provisions of this paragraph shall not limit a landlord's ability to require standard credit, income or other qualifications upon application for a new rental agreement.

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