

GA HOA & Condo Quick Reference

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A board member's plain-English cheat sheet for the two statutes that run Georgia communities. Condos: Georgia Condominium Act (O.C.G.A. §§ 44-3-70 to 44-3-117). Subdivision HOAs: the Property Owners' Association Act (O.C.G.A. §§ 44-3-220 to 44-3-235) — only if the declaration opts in. The numbers below for HOAs do not apply to a community that never elected in.

Meetings and notice

GCA §44-3-102

Condo member meeting at least annually. Notice 21 days for an annual or regularly scheduled meeting, 7 days for any other, stating time, place, and purpose. Declarations recorded on or after 1 July 1990 must also let 15 percent of the unit owners call a meeting. Annual meeting includes comprehensive reports of affairs, finances, and budget projections.

POA §44-3-230

Opted-in HOA: same 21-day / 7-day clocks. If the association skips the annual meeting through fiscal year-end, holders of at least 5 percent of the voting power (articles or bylaws cannot push that above 25 percent) may call it.

GCA §44-3-103

Unless the instruments say otherwise, a member-meeting quorum is more than one-third of the votes, measured at the start. Board quorum is one-half of the board's votes. Same numbers for an opted-in HOA (POA §44-3-228).

Assessments, the lien, attorney fees

GCA §44-3-109

Condo assessments, fines, and reasonable owner-requested charges are a personal obligation and a lien from the moment they fall due. Recording the declaration is notice — no separate claim of lien. Foreclosure: 30 days' certified-mail or statutory-overnight notice and a lien of at least \$2,000. The lien lapses four years after the assessment first came due. Payoff statement in five days or the lien is cut off as to that buyer or lender. SB 406 did not change this condo section.

POA §44-3-232

Opted-in HOA: same lien shape today (\$2,000 floor, 30 days, four-year lapse, five-business-day payoff). From 1 January 2027 only: 60 days' notice, a foreclosure floor of the lesser of \$4,000 or 12 months of regular assessments (not less than \$2,000; fines/fees do not count), and a six-year lapse. Do not run the 2027 numbers until that date.

POA §44-3-235

In force 1 July 2026: before an opted-in association may collect or be awarded attorney's fees it must send certified-mail or statutory-overnight notice, give 30 days to pay, and attach an itemized list. A bench-trial judge must find the fees reasonable. This article applies only to property submitted to it.

POA §44-3-223

Opted-in HOA: fines shall not take voting rights. The association cannot cut off access to the lot, or the right to vote in board elections, because of unpaid fines.

Opt-in, records, and 2027

POA §44-3-222

A community is in the Property Owners' Association Act only if the declaration (or a later amendment) states an affirmative election to be governed. Until 1 January 2027 that is the only path. From that date SB 406 also lets 80 percent of the association vote to submit by recording a certifying instrument.

GCA §44-3-106

Condo association must keep detailed minutes of member and board meetings and itemized financial records. Nonprofit Code inspection (14-3-1602): five business days' written notice; membership list needs a proper purpose.

SB406 §43-17A-2

Effective 1 January 2027: no one may operate an owners' association in Georgia unless it is registered with the Secretary of State (\$100, expires every 31 December). An unregistered association may not collect fines or fees, file liens, or start foreclosure. The portal is not open. A Corporations Division filing is not this registration. Do not treat the 2027 registry as live.

SB406 §43-17A-7

Effective 1 January 2027, owners have a statutory records right that includes three years of finalized balance sheets, budgets, profit-and-loss statements, and bank statements, plus an annual members' meeting and fair notice.

Meeting notice & deadlines

Annual / regular

At least 21 days (condo §44-3-102; opted-in HOA §44-3-230). Time, place, and purpose. Comprehensive reports of affairs, finances, and budget projections at the annual meeting.

Special meeting

At least 7 days, and the notice must state the purpose. Condo declarations from 1 July 1990 on: 15 percent of unit owners may call a meeting.

Condo lien

\$2,000 floor, 30 days' certified or statutory-overnight notice, four-year lapse, five-day payoff (§44-3-109). SB 406 did not change this.

HOA attorney fees

In force 1 July 2026 for opted-in associations: 30 days' certified or statutory-overnight notice plus an itemized list before fees are collected or awarded (§44-3-235).

2027 registration

SOS owners'-association registration starts 1 January 2027 (§43-17A-2). Not live. Do not tell a board they must be on a roster that does not exist yet.

Official records

Condo books

Detailed minutes and itemized financial records (§44-3-106). First residential sale: buyer may void until at least seven days after the required packet is received (§44-3-111).

Nonprofit inspect

Five business days' written notice (14-3-1602). Articles, bylaws, minutes, three years of member communications: no reason required. Membership list needs a proper purpose.

Payoff

Condo: five days or the lien is cut off as to that buyer or lender (§44-3-109). Opted-in HOA: five business days today (§44-3-232).

2027 records

From 1 January 2027, §43-17A-7 adds three years of finalized financials and bank statements. Not in force today.

Quorum & voting

Condo (GCA)

Member quorum: more than one-third of the votes (§44-3-103)

Board quorum: one-half of the board's votes

Declarant control expires at the earliest of the instruments' time limit, 4/5 conveyed, 7 years (expandable) or 3 years (other), or recorded surrender (§44-3-101)

Master policy is the condominium's coverage (§44-3-107)

Opted-in HOA (POA)

Member quorum: more than one-third (§44-3-228) — same number, only if the declaration opted in

Board quorum: one-half of the board's votes

Instrument amends by two-thirds, capped at 80 percent (§44-3-226)

Fines do not take voting rights or lot access (§44-3-223)

Plain-English summary — not legal advice; confirm against the current statute. SoShiny is the all-in-one portal communities use to run documents, voting, violations, a public website and more. Every feature on every plan: \$25/mo base + \$0.33/unit. soshiny.com