

Georgia LAC Launches Legislative Agenda

The members of CAI's Georgia Legislative Action Committee (GA-LAC) began the 2010 legislative session by hosting a breakfast for lawmakers in the State Capitol in Atlanta on February 3. More than 30 state legislators and other attendees stopped by to grab a bite to eat while discussing GA-LAC's agenda for Priority Lien legislation in Georgia while also preventing the ban of covenants regulating the display of flags on homeowner property. Among the dignitaries to visit with GA-LAC staff were Senator John Wiles, Chief Deputy Majority Whip and House Minority Leader and Georgia gubernatorial candidate, DuBose Porter.

Like many other states, Priority Lien legislation has become a primary issue for Georgia and hopes are high that progress can be made during this legislative cycle. Community associations with statutory or covenanted rights to assess members for the care of property operated for the common benefit and enjoyment of their members have faced an increased burden of expenses and obligations in light of the recent rash of property foreclosures. Recognizing the hardships and dangers inherent in this situation, while at the same time cognizant of the need to protect the integrity of the mortgage lending process, states such as Florida, New Jersey, and Oregon have already provided for a limited six month association lien priority over the lien of a first mortgage or deed of trust to help preserve the financial integrity of homeowners associations.

In addition to Priority Lien legislation, the LAC will be contending with pending legislation which would ban covenants regulating the display of the American flag within homeowner associations. This issue has emerged as some homeowners have challenged prohibitions on the display of American flags on community property. The LAC is working to ensure that a responsible approach to flag displays is taken when assessing the impact of such a covenant ban on association rights and responsibilities.

The legislative breakfast represented a pro-active and successful start to GA-LAC's legislative session and discussions were initiated to explore how more such events will benefit the LAC's exposure and prominence among state legislators in the future.