

NOTICE OF PROPOSED RULEMAKING

Rule 590-13-1-01: Definitions

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Division of Securities and Business Registration of the Office of the Secretary of State (hereinafter "Office") proposes the above referenced and attached rule(s) (hereinafter "proposed rule(s)").

This notice, together with an exact copy of the proposed new rule(s) and a synopsis of the proposed rule(s), are being distributed to all persons who have requested, in writing, that they be placed on a distribution list. A copy of this notice, an exact copy of the proposed rule(s), and a synopsis of the proposed rule(s) may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M. EST, Monday through Friday, except official State of Georgia holidays, at the Office of the Secretary of State, 2 Martin Luther King Jr. Drive, S.E., West Tower, Suite 317, Atlanta, Georgia 30334. These documents will also be available for review on the Office's website. Copies may also be requested via email by contacting the Office at hoa@sos.ga.gov.

PUBLIC COMMENT: Interested parties affected by the rule(s) may submit written comments no later than close of business on **Monday, November 2, 2026** via the means below. The public will have the opportunity to comment upon and provide input into the proposed rule(s) verbally at a public hearing to be held on **Wednesday, November 4, 2026 at 9:00 A.M. EST.** The hearing will take place in the **Floyd Conference Room, 2 Martin Luther King Jr. Drive, S.E., West Tower, 20th Floor, Atlanta, GA 30334.**

Verbal comments will be limited to 2 minutes per speaker. **The sign-up sheet will be made available 15 minutes before the hearing.**

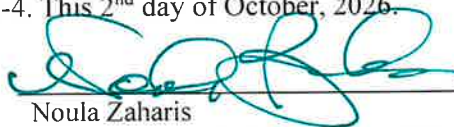
Written comments may be submitted:

Electronically by emailing: hoa@sos.ga.gov

Via hard copy by mailing comments to:

Division of Securities and Business Registration
2 Martin Luther King Jr. Drive SE
West Tower, Suite 341
Atlanta, Georgia 30334

This notice is given in compliance with O.C.G.A. §50-13-4. This 2nd day of October, 2026.



Noula Zaharis
Assistant Commissioner of Securities
Division Director

SYNOPSIS OF PROPOSED NEW RULE OF THE SECRETARY OF STATE
CHAPTER 590-13: OWNERS' ASSOCIATIONS
SUBJECT 590-13-1: GENERAL PROVISIONS
RULE 590-13-1-.01: DEFINITIONS

Purpose: The purpose of this proposed rule is to clarify terms included in and associated with the Georgia Property Owners' Bill of Rights Act (O.C.G.A. §§ 43-17A-1, et seq.) and in the rules promulgated thereunder.

Main Features: The proposed rule provides definitions.

Economic Impact: There will be minimal economic impact as a result of this rule.

Proposed Adoption Date: Friday, January 1, 2027.

TEXT OF PROPOSED NEW RULE

Rule 590-13-1-.01. Definitions

All definitions contained in Section 43-17A-1 of the Official Code of Georgia Annotated ("Code" or "O.C.G.A.") are incorporated by reference herein. When used in the Act and in these Rules, the below terms shall have the following meanings:

- (1) "Act" means the Georgia Property Owners' Bill of Rights Act as set forth in Chapter 17A of Title 43 of the Official Code of Georgia Annotated. (O.C.G.A. §§ 43-17A-1 et seq.).
- (2) "Affected Person" means a Resident or Owner who resides in an Owners' Development whose Owners' Association is subject to a hearing under O.C.G.A. § 43-17A-4.
- (3) "Agent" means any person authorized to act on behalf of an Owner, Resident, or Owners' Association, including but not limited to, a management company, advocate, attorney, or collection agency.
- (4) "Applicant" means an Owners' Association submitting an application for a registration pursuant to O.C.G.A. § 43-17A-2.
- (5) "Assets" means a resource or property, tangible or intangible, that has economic or physical value to which a person or entity has legal or equitable rights.
- (6) "Board" means the governing body of an Owners' Association as designated in its governing documents.
- (7) "Business Day(s)" means any day other than Saturday, Sunday and State of Georgia holidays.

- (8) “Complainant” means an Owner or Resident who files a complaint as per O.C.G.A. § 43-17A-5.
- (9) “Day” means calendar day.
- (10) “Digital Asset” means any electronic account, system, domain, page, profile, database, content, data set, telephone number or credential created, acquired, maintained, branded, promoted or used primarily for association business.
- (11) “Director” means the Director of the Securities and Business Regulation Division of the Office of the Secretary of State.
- (12) “Discovery” means a formal process after a request for hearing is filed but prior to a hearing where parties in a conflict file motions, issue subpoenas, or utilize other legal mechanisms to gather information from other individuals.
- (13) “Division” means the Division of Securities and Business Regulation of the Office of the Secretary of State.
- (14) “Filing” means the submission of a document to the Office of the Secretary of State by an external party for purposes of effectuating an action under the Act.
- (15) “Filing Fee” means an amount owed to the Office of the Secretary of State in connection with the filing of a registration, renewal, amendment, or other filing required under the Act. This does not include Administrative Services Fees as described in O.C.G.A. § 43-17A-4(i) and § 43-17A-5(d).
- (16) “The Office of the Secretary of State” means the Office of the Secretary of State of the State of Georgia and all Divisions encompassed thereunder.
- (17) “Personally Identifiable Information” or “PII” means information that can be used to identify an individual, either directly or indirectly. This includes data that, when combined with other available information, could reasonably allow someone to trace or distinguish a person’s identity.
- (18) “Referee” means an individual appointed by the Secretary of State pursuant to O.C.G.A. 43-17A-4(f)(1) to preside over and prepare a report relating to hearings held under 43-17A-4.
- (19) “Registered Address” means the address of the Owners’ Association as listed on an active registration filed pursuant to the Act.
- (20) “Registration Statement” or “Registration” means a functional document which, when active, permits Owners’ Associations to complete all acts permitted under the Act.

- (21) “Residing in” means lawfully occupying a dwelling as a Resident or being an Owner of a dwelling in an Owners’ Development.
- (22) “Resident” means a natural person who lawfully occupies a dwelling in an Owners’ Development.
- (23) “Respondent” means an individual or Owners’ Association requesting a hearing under O.C.G.A. § 43-17A-4 to challenge an order issued by the Office of Secretary of State.
- (24) “Rules” means these rules and any others promulgated pursuant to the Act.
- (25) “The Secretary of State” means the Secretary of State of the State of Georgia.

Legal Authority:

O.C.G.A. §§ 43-17A-1, 43-17A-9

Public Hearing:

The proposed rule will be open for public comment by the Secretary of State’s Office at its meeting scheduled on:

9:00 A.M. EST, Wednesday, November 4, 2026

Floyd Conference Room
2 Martin Luther King Jr. Drive, S.E.
West Tower, 20th Floor
Atlanta, GA 30334

Deadline for Submission of Comments:

Written comments must be received by Monday, November 2, 2026.