

NOTICE OF PROPOSED RULEMAKING

Rule 590-13-3-.01: Initial Application and Deficient Registrations

Rule 590-13-3-.02: Withdrawn Registrations

Rule 590-13-3-.03: Amendments to Registrations

Rule 590-13-3-.04: Renewal of Registrations

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 11:00 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.**

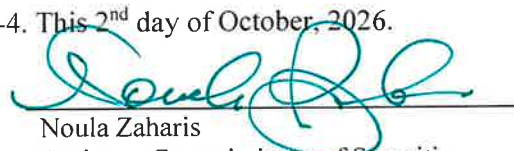
Written comments may be submitted:

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 590-13-3: REGISTRATIONS
RULE 590-13-3-.01: INITIAL APPLICATION AND DEFICIENT
REGISTRATIONS

Purpose: The purpose of this proposed rule is to clarify the process for the submission of and initial application for registration as an Owners' Association under O.C.G.A. § 43-17A-2 of the Georgia Property Owners' Bill of Rights Act (O.C.G.A. §§ 43-17A-1, et seq., the "Act") and how deficient applications for registration will be identified and handled by the Secretary of State's Office.

Main Features: The proposed rule establishes an immediately effective 30-day temporary registration. An Owners' Association may act immediately upon issuance of the issuance of the temporary registration. During the 30-day period, the Secretary of State's Office will review the application and identify any deficiencies. If the application is fully complete and filing fees are paid, the temporary application will transition to an annual registration which will expire on December 31st of the year it was filed. If there is a deficiency identified, the Secretary of State's office will issue a deficiency letter advising the Owners' Association of the deficiency, how to remedy, and the deadline to remedy the deficiency during which their temporary registration will remain in effect. If the deficiency is remedied by the deadline, the temporary license will be transitioned to an annual license. If the deficiency is not remedied by the deadline, the registration will lapse upon the expiration of the time limit to remedy any deficiencies.

Economic Impact: The filing fee for each initial registration statement is \$100.00. Our office estimates that there are between 11,000 and 15,000 Owners' Associations in the State of Georgia. Estimated economic impact is between \$1,100,000.00 and \$1,500,000.00 in one-time initial registration fees being paid by Owners' Associations for the initial registration period in January of 2027. Estimates for initial registrations in following years will result in minimal economic impact.

Proposed Adoption Date: Friday, January 1, 2027.

TEXT OF PROPOSED NEW RULE

Rule 590-13-3-.01: Initial Application and Deficient Registrations

- (1) Upon initial submission of an application for registration, an Owners' Association will be issued a temporary registration effective immediately.
 - a. Temporary registrations will be effective for thirty (30) days and may be extended at the discretion of the Director.
 - b. If the Division verifies that the application is not deficient and all filing fees have been paid, the registration will be moved from a temporary registration to an annual registration.

- c. Once advised of any deficiencies or failure to pay the filing fee, the Owners' Association must remedy within thirty (30) days.
- (2) Any registration application filed pursuant to the Act may be deemed deficient if any of the following conditions exist:
 - a. the application is not completed on the proper form prescribed by the Secretary of State electronically or in writing;
 - b. the application is incomplete;
 - c. required documentation is irrelevant or otherwise incomplete;
 - d. the associated filing fee is not properly submitted and paid; or
 - e. the application is not in compliance with any provision of the Act or associated rules.

Legal Authority:

O.C.G.A. §§ 43-17A-2, 43-17A-3, 43-17A-4, 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:

11:00 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.

SYNOPSIS OF PROPOSED NEW RULE OF THE SECRETARY OF STATE
CHAPTER 590-13: OWNERS' ASSOCIATIONS
SUBJECT 590-13-3: REGISTRATIONS
RULE 590-13-3-.02: WITHDRAWN REGISTRATIONS

Purpose: The purpose of this proposed rule is to clarify the process for withdrawing an active Owners' Association's registration issued under O.C.G.A. § 43-17A-2 of the Georgia Property Owners' Bill of Rights Act (O.C.G.A. §§ 43-17A-1, et seq., the "Act").

Main Features: An Owners' Association may withdraw their registration.

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 590-13-3-.02: Withdrawn Registrations

Any Owners' Association may withdraw its registration at any time via a form prescribed by the Secretary of State.

Legal Authority:

O.C.G.A. §§ 43-17A-2, 43-17A-3, 43-17A-4, 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:

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Deadline for Submission of Comments:

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SYNOPSIS OF PROPOSED NEW RULE OF THE SECRETARY OF STATE
CHAPTER 590-13: OWNERS' ASSOCIATIONS
SUBJECT 590-13-3: REGISTRATIONS
RULE 590-13-3-.03: AMENDMENTS TO REGISTRATIONS

Purpose: The purpose of this proposed rule is to clarify the process for amending an active Owners' Association's registration issued under O.C.G.A. § 43-17A-2 of the Georgia Property Owners' Bill of Rights Act (O.C.G.A. §§ 43-17A-1, et seq., the "Act") if a material change has occurred that would make the registration materially inaccurate or misleading.

Main Features: An Owners' Association shall amend their registration if it has become materially inaccurate or misleading.

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 590-13-3-.03: Amendments to Registrations

If an effective registration becomes materially inaccurate or misleading, then the Owners' Association must file an amended registration within thirty (30) days thereafter on a form prescribed by the Secretary of State.

Legal Authority:

O.C.G.A. §§ 43-17A-2, 43-17A-3, 43-17A-4, 43-17A-9

Public Hearing:

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SYNOPSIS OF PROPOSED NEW RULE OF THE SECRETARY OF STATE
CHAPTER 590-13: OWNERS' ASSOCIATIONS
SUBJECT 590-13-3: REGISTRATIONS
RULE 590-13-3-.04: RENEWALS OF REGISTRATIONS

Purpose: The purpose of this proposed rule is to clarify filing dates and parameters for renewing an Owners' Association's registration issued under O.C.G.A. § 43-17A-2 of the Georgia Property Owners' Bill of Rights Act (O.C.G.A. §§ 43-17A-1, et seq., the "Act").

Main Features: The proposed rule permits for the Owners' Association to register 90 days prior to the annual expiration date of December 31st each year. It also requires the submission of an updated financial statement.

Economic Impact: The filing fee for each renewal registration is \$100.00. Our office estimates that there are between 11,000 and 15,000 Owners' Associations in the State of Georgia. Estimated economic impact is between \$1,100,000.00 to \$1,500,000.00 in renewal fees annually.

Proposed Adoption Date: Friday, January 1, 2027.

TEXT OF PROPOSED NEW RULE

Rule 590-13-3-.04: Renewal of Registrations

- (1) An application for renewal of registration may be filed at any time within ninety (90) days prior to the expiration of the most recent active registration.
- (2) Each renewal must contain an updated year-end financial statement dated no more than one year prior to the renewal application.

Legal Authority:

O.C.G.A. §§ 43-17A-2, 43-17A-3, 43-17A-4, 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:

11:00 A.M. EST, Wednesday, November 4, 2026

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