



REAL PROPERTY LAW SECTION

A publication of the Real Property Law Section of the State Bar of Georgia – Spring 2026 Newsletter



Pictured: John Mangham speaking at the 2026 Residential Real Estate Seminar

REAL PROPERTY LAW SECTION

SPRING 2026 NEWSLETTER



REAL PROPERTY
LAW SECTION

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LETTER FROM THE CHAIR



By Tenise Chung, RPLS Chair 2025–2026

Summer is just around the corner, and after a busy winter, many of you may be planning a sunny getaway. Why not gain CLE credits — and a potential tax write-off — for your vacation by attending this year's Real Property Law Institute?

The kickoff party will take place from 6–8 PM on Wednesday, May 6 on the Sawgrass Marriott's Cascades Deck.

Our education portion will run May 7–9. Program chair Beth Jones has planned an exciting slate of speakers on a variety of fresh topics spanning both commercial and residential concerns.

This year's Institute will offer **9 hours of CLE credits, including 1 Ethics and 1 Professionalism specialty credit**. Many of the Section's perennial sponsors will also be onsite to provide networking and partnership opportunities. The weekend will also be filled with social events and family-friendly activities, including an incredible chance to play at a TPC Sawgrass Course in the Raiford Memorial Golf Tournament.

Please note: Although the hotel room block at the Marriott is already sold out, an overflow room block is available at the nearby **Hilton Garden Inn**.

— Tenise Chung, RPLS Chair 2025–2026

LEGISLATIVE UPDATE: PASSED BILLS

This end-of-biennium, election-year session was dominated by budget and property-tax debates. Several bills with meaningful real-estate implications passed, while two late-session measures of particular importance to practitioners—SB 8 and SB 230—did not. Notably the legislature failed to meet a self-imposed deadline on election machine reform and will likely convene a special session this spring.

Several other crossover bills also failed, including measures addressing anti-squatting and innkeeper dispossession reform, frivolous mechanic's and materialman's liens, conservation donation tax credits, impact-fee disclosures in transfers, foreclosure surplus funds, tiny-home zoning, CUVA acreage expansion, and HOA amendment thresholds. Some of these may return in the next biennium.

Passed Bills:

SB 59 — Hurricane Helene Timber Tax Credits.

SB 59 increases maximum acreage for bona fide conservation use property (CUVA) assessment from 2,000 to 4,000 acres.

SB 306 — LIHTC / CUVA / Forest Land.

The annual IRS compliance bill HB1199, signed by the governor early in the session every year, imposed a \$100 million dollar cap on total LIHTC allowed in a year. SB 306 was a late vehicle to correct that error and saved the industry by changing that limitation to only limit the new LIHTC issued in a given year, rather than the total allowed. The underlying bill is aimed at suffering forestry land owners. It permits carbon sequestration as a secondary use of qualifying conservation property, requires advance notice of covenant expiration, provides limited relief where expiration notice failed to reach the taxpayer,

allows a landowner to combine multiple CUVA covenants into a new ten-year covenant.

SB 406 — Georgia Property Owners' Bill of Rights Act.

SB 406 is an HOA reform bill which creates a new regulatory regime in response to popular opinion turning on HOAs. The new burdens on HOAs are modest, only requiring registration and some common access to their records. Associations that wish to collect fines or fees, record liens, or foreclose must register with the Secretary of State and file governing documents and financial information. The bill also authorizes the secretary of state to suspend or revoke an HOA, limit its fees and fines, subpoena evidence, and conduct hearings related to registration and other decisions. The bill strengthens owners' rights to records, insurance information, and meetings; requires payments to be applied first to regular assessments; bars accelerated assessments; lengthens pre-foreclosure notice; tightens foreclosure thresholds; extends lien duration from four to six years; and requires itemized, judicially reviewed attorney's fees. The attorney's-fees provisions take effect July 1, 2026; the balance takes effect January 1, 2027.

SB 447 — Permit Processing and Permit-Status Transparency.

SB 447 gives local governments two business days to identify deficiencies in private-provider inspection reports; imposes a five-day completeness review and a 45-day deadline for initial permit action; limits resubmittal review and generally bars new, unrelated comments on resubmission; requires written, documented reasons for denial or nonacceptance; authorizes fee refunds and mandamus relief if deadlines are not met; and, beginning

LEGISLATIVE UPDATE: PASSED BILLS PART 2

January 1, 2028, requires larger local governments to provide public real-time permit-status information online.

SB 566 — Ad Valorem Notices / Homestead Administration.

SB 566 changes the information provided on property tax bills and notices provided to taxpayer. It corrects some issues with the statewide homestead exemption passed two years ago, creates a statewide reporting regime, imposes an affirmative duty on taxpayers to report if they become ineligible and penalties for failure to report. It applies to taxable years beginning on or after January 1, 2026.

HB 413 — Transfer-on-Death Deeds.

HB413 authorizes alternate beneficiaries and trust designations, clarifies when title passes and how acceptance occurs, confirms TODD priority over unsecured estate debts, and clarifies revocation, lapse, and expense-recovery rules. Another related practitioner group, GRECAA, also supported the TODD amendments and described them as important fixes intended to bring greater clarity, consistency, and insurability to TODD practice.

HB 1024 — Bankruptcy / Insolvent-Estate Residence Exemption.

HB 1024 substantially increases Georgia's residence exemption for bankruptcy and intestate insolvent-estate purposes. It raises the exemption from \$21,500 to \$50,000 and raises the married-primary-residence amount from \$43,000 to \$100,000 where title is in one debtor-spouse and such property is the primary residence of both, with annual inflation indexing beginning July 1, 2031.

HB 1129 — Enterprise Zones.

HB 1129 changes the enterprise-zone nomination process to a more state led process, with exemptions of any state sales and use tax subject to the approval of the governor's designee. It also limits each county to four such zones and states that the principle of the revenue bonds may not be used for capital investment.

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HB 1434 — Airport-Affected-Area Land-Use Regulation.

HB 1434 creates a statewide framework for land-use controls around airports. By January 1, 2027, airport sponsors must identify airport-affected areas; by July 1, 2027, affected local governments must adopt and enforce regulations after notice and hearing; those regulations must protect imaginary surfaces; variance requests that would create obstructions must be referred to the airport sponsor; and noncompliant governments risk suspension of local maintenance and improvement grant funds.

LEGISLATIVE UPDATE: BILLS THAT DID NOT PASS

SB 8 — Remote Online Notarization / UPL Enforcement.

Although it did not pass, SB 8 addresses some of the most debated issues for real-estate practitioners. It would have authorized remote online notarization effective January 1, 2027, created felony penalties for unauthorized practice of law effective July 1, 2026, added an FBPA remedy tied to certain residential documents resulting from UPL, and expressly preserved Georgia's attorney-supervised closing requirement. Had it passed, it would have materially affected Georgia closing practice. According to its post-session bulletin, GRECAA also supported the late-session SB 8 package, particularly the UPL-enforcement component, and viewed the bill as an effort to address concerns about non-attorney involvement in Georgia real-estate closings.

SB 230 — Real Estate Security and Title Act.

SB 230 did not pass, but it is worth noting because it became a broader real-estate vehicle addressing several issues of practical importance. It would have authorized credit bids in judicial sales, revised special-master provisions in statutory quiet-title actions, increased the maximum condominium insurance deductible allocable to a unit owner, and added protections for judges' and spouses' personal identifying information. The quiet-title component originated as a Real Property Section-sponsored proposal advanced through the State Bar's legislative process and was intended to broaden the pool of qualified, available, and unconflicted special masters, particularly in counties outside the major metro areas.

SB 458 — Home Inspector Licensing Act of Georgia.

SB 458 would have created a licensing regime for

home inspectors and wholesalers. This bill achieved a great deal of traction and crossed over, but ultimately failed to get a final vote on the in the Senate in the final days of the session. This will be an interesting issue to watch in the next biennium with a new secretary of state.

SB 463 — Georgia Anti-Squatting Act of 2026.

SB 463 became a vehicle for anti-squatting relief for innkeepers, but more importantly it started as a limit of corporate ownership at 500 single-family properties. The underlying bill passed out of house committee, but did not get a full vote on the house floor. This will be an interesting issue to follow after elections, as limiting corporate ownership has gained popularity with both parties.

LOOKING AHEAD

Several stalled measures—including broader property-tax reform, SB 8, SB 230, and some of the crossover bills noted above—could return in a special session or the next biennium.

The Legislative Committee thanks Will Hughes of HunterMaclean for his assistance in compiling this report.

This update is informational only and does not constitute advocacy. The Section is limited by the Bar and by Keller v. State Bar of California from lobbying on legislation, and members who wish to advocate for or against any bill should communicate directly with their legislators. This review is selective and may not be fully comprehensive. Unless otherwise noted, we have not independently confirmed whether any particular bill has been signed by the Governor.

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REGISTER NOW FOR RPLI CONNECT 2026

May 7–9, 2026 | Sawgrass Marriott Golf Resort & Spa | Ponte Vedra Beach, FL

[REGISTER NOW](#)

Join the Real Property Law Section of the State Bar of Georgia May 7–9 at the stunning Marriott Sawgrass Golf Resort & Spa in Ponte Vedra Beach, Florida for the premier real property law event of the year.

From cutting-edge CLE programming to unmatched networking opportunities — and yes, world-class golf — RPLI Connect 2026 is where Georgia's real property law community comes together.

CLE CREDIT INFORMATION

9 Hours of CLE Credit

Including 1 Ethics Credit + 1 Professionalism Specialty Credit

Education Sessions: May 7–9, 2026 | \$600 Discounted RPLS Member Registration | [Register Now](#)

RPLI CONNECT 2026 — EVENTS OVERVIEW

May 6–9, 2026 | Sawgrass Marriott Golf Resort & Spa | Ponte Vedra Beach, FL

1000 Tournament Players Club Blvd., Ponte Vedra Beach, FL 32082

9 CLE Hours (incl. 1 Ethics + 1 Professionalism)

WED 5/6	THU 5/7	FRI 5/8	FRI 5/8 PM	SAT 5/9
Kickoff Party 6–8 PM Cascades Deck	Raiford Memorial Golf Tournament Dye's Valley TPC	5K Fun Run & Bike Ride 6–7:30 AM	Pickleball Tournament 2–6 PM	Pool Party 2–4 PM

EVENT DETAILS

KICKOFF PARTY — PRESENTED BY CERTIFID



WHEN: Wednesday, May 6 | 6:00–8:00 PM

WHERE: **Cascades Deck** Sawgrass Marriott Golf Resort & Spa

Before the sessions begin, the connections start. Join us for the official RPLI Connect 2026 Kickoff Party at the Cascades Deck — one of the most scenic spots at the Sawgrass Marriott.

Participants and families are all welcomed for an evening of networking, great company, and the energy that sets the tone for the entire institute.

This is where RPLI Connect really begins!

Raiford Memorial Golf Tournament



WHEN: Thursday, May 7 | Tee Times Range (2:15 - 3:15 PM)

WHERE: TPC Sawgrass

Transportation Provided— Don't Miss Your Tee Time

This 4-Man Scramble takes place at Dye's Valley at TPC Sawgrass — one of Florida's premier courses, designed by Pete Dye, Bobby Weed, and 1982 PLAYERS Champion Jerry Pate.

You'll be playing championship golf right next to THE PLAYERS Stadium Course. It doesn't get much closer to the pros than this.

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5K FUN RUN & BIKE RIDE



WHEN: Friday, May 8 | 6:00–7:30 AM

WHERE: Sawgrass Marriott Grounds

Rise and run. Kick off Friday morning with a sunrise 5K Fun Run & Bike Ride along the beautiful grounds of the Sawgrass Marriott. Whether you're lacing up or hopping on two wheels, this is a great way to connect with fellow attendees before the day's sessions.

All participants receive an event shirt, and a post-race breakfast awaits when you cross the finish line.

[Sign Up Now →](#)



PICKLEBALL SOCIAL

**WHEN:** Friday, May 8 | 2:00–6:00 PM**WHERE:** The Yards, Pickleball Porch

Whether you're a seasoned player or have never picked up a paddle, there's a spot for you.

Competitive players: Doubles Tournament (Round Robin + Single Elimination, Courts 1–8).

Newcomers & families: play casually or learn from experienced trainers (Courts 9–12, 2–6 PM).

Music, bar service, and food throughout the afternoon with complimentary transportation provided.

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PRO BONO COMMITTEE — ONGOING OPPORTUNITIES

Last year, the Committee raised donations for each of the organizations listed below. These organizations also welcome pro bono volunteer assistance from our membership. Please contact the organizations directly for volunteer opportunities.

Atlanta Volunteer Lawyers Foundation (AVLF)

Programs include Landlord-Tenant Cases, Eviction Defense, Housing Phone Bank (virtual), Housing Court Assistance Center (in-person at Fulton County Courthouse), and Saturday Lawyer Clinic (virtual or in-person). Extensive assistance provided to all volunteers.

Contact: golden.avlf.org | app.joinpaladin.com/avlf/opportunities

Georgia Heirs Property Law Center

Not-for-profit law firm helping low and moderate-income heirs property owners remediate fractured title, increase equity, and transfer wealth to the next generation. Total tax-appraised value of probable heirs property in Georgia exceeds \$47 billion.

Contact: (706) 424-7557 | info@gaheirsproperty.org | gaheirsproperty.org

Middle Georgia Justice

Seeking Section members willing to provide pro bono legal consultations on complex real property law issues in the broader context of probate and family law cases.

Contact: AmyGriffithDever,ExecutiveDirector@mgajustice.org | mgajustice.org

Pro Bono Partnership of Atlanta (PBPA)

Matches nonprofit clients with experienced corporate attorneys for contracts, corporate governance, intellectual property, and employment matters. Most projects take 10–15 hours over a couple of months.

Contact: pbpatl.org/for-attorneys

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The Section wants to hear from you! Submit substantive articles or editorials for publication in the newsletter.

Send to: GARplscommittee@gmail.com

We are always looking for new speakers and fresh topics of interest from our members. Nominate yourself or others for a future CLE. *Reach out to any Executive Committee member.*

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