



Rights of Tenants Living in Motels

Some individuals who live in extended stay motels have tenant rights and should not be forced to move out without an eviction order from the Court!

- Once a resident has lived in a motel for more than 90 days, the motel is no longer an “innkeeper” under Georgia law because they do not have to pay innkeeper taxes or sales taxes anymore. See O.C.G.A. § 48-8-2(31)(B).
- The resident then becomes a “tenant” under Georgia law, and the motel/landlord should utilize the court eviction process to force the tenant to move out, regardless of whether rent has been paid. See O.C.G.A. § 44-7-50(a).
- A motel in this situation that forces a tenant to move out without obtaining an eviction order from the Court first may be liable for breaking the law!

If you are a tenant in this situation, please contact Cobb Legal Aid at (770) 528-2565 to find out if you qualify to speak to an attorney to obtain legal advice about your specific situation. You may also apply for assistance at <https://atlantalegalaid.org>.