

Bond Case Briefs

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POLITICAL SUBDIVISIONS - GEORGIA

Files v. Housing Authority of City of Douglas

Court of Appeals of Georgia - June 27, 2023 - S.E.2d - 2023 WL 4194717

Motorist filed a negligence and vicarious liability complaint against city housing authority and housing authority employee after motorist was injured in an automobile accident when his vehicle collided with city vehicle driven by employee.

The Superior Court granted housing authority summary judgment and motorist appealed.

The Court of Appeals held that city housing authority did not qualify as a State agency, department or instrumentality, and thus was not entitled to sovereign immunity.

City housing authority did not qualify as a State agency, department or instrumentality, and thus was not entitled to sovereign immunity in lawsuit filed against city housing authority and authority employee after motorist was injured when his vehicle was struck by city vehicle driven by authority employee; city housing authority was not indelibly intertwined with the State as it was created by a local entity and was governed primarily, if not wholly, by local authorities, its operation, functional purpose, and governance was to serve the citizens of city and nearby county, not the State, and there was no evidence that authority employees were connected to the State via the merit system, their retirement plans, or any other rules affecting State workers.