

Bond Case Briefs

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POLITICAL SUBDIVISIONS - GEORGIA

Guy v. Housing Authority of the City of Augusta

Court of Appeals of Georgia - February 9, 2026 - S.E.2d - 2026 WL 350927

Tenant in low-income apartment complex owned by city housing authority brought premises-liability action against authority, alleging that authority was negligent in failing to provide property security or take measures to keep property safe, or both, leading to tenant's being shot in the leg on the front porch of her apartment.

The State Court granted authority's motion for summary judgment. Tenant appealed. The Court of Appeals affirmed based on its conclusion that authority operated as an instrumentality of city and, as such, was entitled to sovereign immunity. Tenant filed petition for writ of certiorari, which was granted. The Supreme Court concluding that the question of whether authority was entitled to immunity was a matter of common law that had to be answered by examining the common law of England as of May 14, 1776, vacated the opinion of the Court of Appeals and remanded for further consideration.

The Court of Appeals held that issue of whether authority was entitled to immunity required further exploration of issue of whether city and county were a consolidated government, and thus Court of Appeals would remand to trial court to examine and decide issue in the first instance.