

Court Rejects Ferdinand Lawsuit Appeal

The Georgia Court of Appeals has rejected Fulton County Tax Commissioner Arthur Ferdinand's request to dismiss a lawsuit brought against him by a county commissioner.

Commissioner Liz Hausmann filed the lawsuit in 2013, saying Ferdinand abused his authority by revoking the registration of a vehicle she owned. Hausmann said the decision was political payback for her criticism of Ferdinand's use of a county take-home vehicle.

A Fulton County commissioner's lawsuit against Tax Commissioner Arthur Ferdinand remains alive after the Georgia Court of Appeals rejected Ferdinand's appeal. ... read more

Last June, Fulton County Superior Court Judge Kelly Lee rejected Ferdinand's request to dismiss the lawsuit. Ferdinand appealed that decision. Among other things, he says Lee's decision was not supported by the evidence and that he was shielded from the lawsuit by official immunity granted to public officials acting in the performance of their official duties.

In a one-page decision released March 19, the Court of Appeals rejected Ferdinand's appeal. Randy Turner, Ferdinand's attorney, said he plans to appeal the decision to the Georgia Supreme Court.

"We continue to believe that the tax commissioner has an obligation under law to revoke the tags of illegally registered automobiles, and we intend to ask the Georgia Supreme Court to review the case," Turner said.

Hausmann said a further appeal would be "a waste of time and money." Her attorney, **Josh Belinfante**, added that Hausmann "looks forward to a jury's consideration of Dr. Ferdinand's retaliatory acts."

The lawsuit stems from Hausmann's efforts to renew the registration for a 2004 Jeep Grand Cherokee that she owned but allowed her daughter to drive. In April 2013, her daughter renewed the vehicle registration in Hausmann's name, using the commissioner's longtime address in Johns Creek. But Hausmann and her estranged husband had sold the home the year before, and the address was no longer valid.

Ferdinand later notified Hausmann she needed to provide proof of her current address. On the same day, he wrote a memo to county commissioners and the county attorney, questioning whether Hausmann lived in Fulton County and whether she should continue to serve her district.

Hausmann said she was living with her sister in Johns Creek and provided several documents to prove it. Ferdinand rejected them as inadequate and revoked her registration. He later accepted her voter registration as evidence of her address and reinstated the Jeep's registration.

In the lawsuit, Hausmann said Ferdinand was retaliating against her because she had criticized his use of a take-home vehicle. Ferdinand has denied the allegation and said he gave Hausmann extra time to provide proof of residency.