

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 166
HOUSE BILL 951

AN ACT TO ALLOW A LANDLORD'S WRITTEN, SIGNED STATEMENT OF PAST-DUE RENT, MADE UPON THE TENANT'S REQUEST, TO SERVE AS NOTIFICATION OF EVICTION FOR EMERGENCY ASSISTANCE FROM THE COUNTY DEPARTMENT OF SOCIAL SERVICES.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 42 of the General Statutes is amended by adding a new section to read:

"§ 42-26.1. Landlord certification of past-due rent.

When a tenant notifies the tenant's landlord that the tenant wants to apply for assistance with rental payments from the department of social services in the county where the tenant resides or from any agency working in cooperation with that department of social services, as provided for under G.S. 108A-39.1, the landlord shall, upon the tenant's request, provide the tenant with a written, signed statement stating any past-due rent that the tenant owes, plus any late fee, and stating that the landlord may pursue summary ejection if the rent is not paid."

Sec. 2. G.S. 108A-39.1 reads as rewritten:

"§ 108A-39.1. AFDC Emergency Assistance Program.

(a) The Social Services Commission shall adopt rules to implement the Aid to Families with Dependent Children-Emergency Assistance (AFDC-EA) Program. Effective November 1, 1986, the Department of Human Resources, Division of Social Services, shall provide emergency assistance to families whose family income does not exceed one hundred ten percent (110%) of the current federal poverty level as established by the U. S. Secretary of Health and Human Services and published annually in the Federal Register. Annual program benefits may not exceed five hundred dollars (\$500.00). Funding for the non-federal share of Emergency Assistance benefits shall be shared at a rate of fifty percent (50%) State participation and fifty percent (50%) county participation.

(b) A written, signed statement by a tenant's landlord, as provided for in G.S. 42-26.1, shall constitute sufficient formal notification of eviction under the AFDC-EA Program provided for in subsection (a) of this section."

Sec. 3. This act becomes effective July 1, 1991, and expires on June 30, 1993.

In the General Assembly read three times and ratified this the 29th day of May, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives