GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021

Η

HOUSE BILL 829 Committee Substitute Favorable 5/11/21

Short Title:	Chapter 160D Technical Correction.	(Public)
Sponsors:		
Referred to:		

May 5, 2021

1 A BILL TO BE ENTITLED 2 AN ACT TO RESTORE, TO THE STATE OF ITS EXISTENCE IMMEDIATELY PRIOR TO 3 THE EFFECTIVE DATE OF CHAPTER 160D OF THE GENERAL STATUTES, THE 4 LAW GOVERNING THE AUTHORITY OF COUNTIES AND CITIES TO CONDUCT 5 PERIODIC INSPECTIONS FOR HAZARDOUS OR UNLAWFUL CONDITIONS. 6 The General Assembly of North Carolina enacts: 7 SECTION 1. G.S. 160D-1207(c) reads as rewritten: 8 In no event may a local government do any of the following: (i) adopt or enforce any "(c) 9 ordinance that would require any owner or manager of rental property to obtain any permit or 10 permission under Article 11 or Article 12 of this Chapter from the local government to lease or

11 rent residential real property or to register rental property with the local government, except for 12 those individual properties that have more than four verified violations in a rolling 12-month period or two or more verified violations in a rolling 30-day period, or upon the property being 13 14 identified within the top ten percent (10%) of properties with crime or disorder problems as set forth in a local ordinance, (ii) require that an owner or manager of residential rental property 15 enroll or participate in any governmental program as a condition of obtaining a certificate of 16 17 occupancy, (iii) levy a special fee or tax on residential rental property that is not also levied 18 against other commercial and residential properties, unless expressly authorized by general law 19 or applicable only to an individual rental unit or property described in clause (i) of this subsection 20 and the fee does not exceed five hundred dollars (\$500.00) in any 12-month period in which the 21 unit or property is found to have verified violations, (iv) provide that any violation of a rental 22 registration ordinance is punishable as a criminal offense, or (v) require any owner or manager 23 of rental property to submit to an inspection before receiving any utility service provided by the 24 local government. For purposes of this section, the term "verified violation" means all of the 25 following:

26

(1)

- 27 28
- 29 30
- 31
- 32
- 33
- 34 35

The aggregate of all violations of housing ordinances or codes found in an individual rental unit of residential real property during a 72-hour period.

(2) Any violations that have not been corrected by the owner or manager within 21 days of receipt of written notice from the local government of the violations. Should the same violation occur more than two times in a 12-month period, the owner or manager may not have the option of correcting the violation. If the housing code provides that any form of prohibited tenant behavior constitutes a violation by the owner or manager of the rental property, it shall be deemed a correction of the tenant-related violation if the owner or manager, within 30 days of receipt of written notice of the



	General Assembly Of North CarolinaSession 2021
1	tenant-related violation, brings a summary ejectment action to have the tenant
2	evicted."
3	SECTION 2. This act becomes effective October 1, 2021, and any inconsistent
4	ordinance or policy shall be void and unenforceable on or after that date.