

**§ 58-70-155. Prerequisites to entering a default or summary judgment against a debtor under this Part.**

(a) Prior to entry of a default judgment or summary judgment against a debtor in a complaint initiated by a debt buyer, the plaintiff shall file evidence with the court to establish the amount and nature of the debt.

(b) The only evidence sufficient to establish the amount and nature of the debt shall be properly authenticated business records that satisfy the requirements of Rule 803(6) of the North Carolina Rules of Evidence. The authenticated business records shall include at least all of the following items:

- (1) The original account number.
  - (2) The original creditor.
  - (3) The amount of the original debt.
  - (4) An itemization of charges and fees claimed to be owed.
  - (5) The original charge-off balance, or, if the balance has not been charged off, an explanation of how the balance was calculated.
  - (6) An itemization of post charge-off additions, where applicable.
  - (7) The date of last payment.
  - (8) The amount of interest claimed and the basis for the interest charged.
- (2009-573, s. 8; 2011-326, s. 7.)