

GENERAL ASSEMBLY OF NORTH CAROLINA  
1983 SESSION

CHAPTER 1108  
SENATE BILL 634

AN ACT REGARDING CONTINUANCE OF FORECLOSURE HEARINGS WHEN  
ALL PARTIES HAVE NOT BEEN PROPERLY SERVED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 45-21.16(a) is amended by adding a new paragraph at the end to read:

"If all parties are not served in time to hold the hearing on the date stated in the notice of hearing, the clerk shall order it continued. All notices already served remain effective; when the mortgagee or trustee has satisfied the notice requirements of this section, the clerk shall notify all parties of the date to which the hearing has been continued. The clerk shall notify any party who has not received actual notice of the date to which the hearing has been continued by sending the notice by first class mail to his last known address."

Sec. 2. G.S. 45-21.16(c) is amended by adding a new subdivision to read:

"(11) That the hearing may be held on a date later than that stated in the notice and that the party will be notified of any change in the hearing date."

Sec. 3. This act shall become effective October 1, 1984.

In the General Assembly read three times and ratified, this the 6th day of July, 1984.