

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2021-190
HOUSE BILL 110

AN ACT TO MAKE CHANGES TO THE HOUSING OPPORTUNITIES AND PREVENTION
OF EVICTIONS (HOPE) PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 3.4 of S.L. 2021-25 is amended by adding a new subsection:

"SECTION 3.4.(m) HOPE Application by Landlord. – The North Carolina Office of Recovery and Resiliency (NCORR), Department of Public Safety, is directed to accept applications under the Housing Opportunities and Prevention of Evictions (HOPE) Program that are submitted by a landlord on behalf of a tenant, provided that the submitted application meets all of the federal requirements for this program. A landlord's submission of an application on behalf of a tenant shall be eligible retroactively for rental arrears, including current or previous tenant addresses, within allowable federal guidelines. NCORR shall only allocate funds to counties in subsection (d) of this section that accept applications submitted by landlords on behalf of a tenant, accept applications submitted by tenants, and comply with subsection (j) of this section."

SECTION 1.(b) Section 3.4(j) of S.L. 2021-25 reads as rewritten:

"SECTION 3.4.(j) All funds reserved or allotted under this section shall be used in accordance with applicable federal law or ~~guidance~~-guidance, and these funds shall be used for all of the following:

- (1) Cover the cost of a hotel or motel room, excluding expenses incidental to the charge for the room, occupied by an eligible household that meets all other applicable program requirements in addition to the following:
 - a. The household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere.
 - b. The total months of assistance provided to the household do not exceed the time limits provided by the Emergency Rental Assistance Program.
 - c. Documentation of the hotel or motel stay is provided and the other applicable requirements are provided.
- (2) Cover the cost of reasonable accrued late fees due to a landlord.
- (3) Cover utility or energy costs for renters' households, irrespective of an application for or receipt of rental assistance.
- (4) Comply with subsection (g) of this section. NCORR shall provide a report of compliance to the Joint Legislative Commission on Governmental Operations annually by January 15 until the program terminates.
- (5) Ensure assistance shall be provided for a period not to exceed 12 months except that NCORR may provide assistance for an additional three months only if necessary to ensure housing stability for a household subject to the availability of funds.
- (6) Cover rental arrears accrued after March 13, 2020, the date of the emergency declaration pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5191(b)."



SECTION 1.(c) Section 3.4(g) of S.L. 2021-25 reads as rewritten:

"SECTION 3.4.(g) Allotments as listed in subsection (f) of this section for regions with counties that did not receive a direct allocation from the federal Emergency Rental Assistance program under the Consolidated Appropriations Act or the American Rescue Plan Act are the maximum aggregate amount to be provided to recipients renting housing in the respective region, and the Office shall reserve the maximum amount to the respective region minus any pro rata adjustments authorized in this section. The Office shall provide awards to recipients residing in the region described in this subsection ~~based upon~~ in an amount equal to the actual amount of monthly rent owed, ~~owed, including reasonable fees authorized under the written lease agreement,~~ by the tenant pursuant to the rental agreement or an amount equal to the actual amount of utility costs owed by the recipient and shall not be subject to any allowable average or other formula-based calculation. The Office shall continue to provide awards for each region until the maximum allotment amount in subsection (f) of this section has been exhausted."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of November, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 9:44 a.m. this 9th day of December, 2021