

**§ 58-78A-12. Manufactured housing; restraining orders; criminal convictions; license surrenders.**

(a) Restraining Order. – Whenever it appears to the State Fire Marshal that any person has violated, is violating, or threatens to violate any provision of Article 9A of Chapter 143 of the General Statutes (North Carolina Manufactured Housing Board – Manufactured Home Warranties), the State Fire Marshal may apply to the superior court of any county in which the violation has occurred, is occurring, or may occur for a restraining order and injunction to restrain such violation. If upon application the court finds that any provision of Article 9A of Chapter 143 of the General Statutes has been violated, is being violated, or a violation thereof is threatened, the court shall issue an order restraining and enjoining such violations and relief may be granted regardless of whether criminal prosecution is instituted under any provision of law.

(b) Criminal Conviction. – The conviction in any court of competent jurisdiction of any licensee for any criminal violation of Article 9A of Chapter 143 of the General Statutes automatically has the effect of suspending the license of that person until such time that the license is reinstated by the North Carolina Manufactured Housing Board. As used in this subsection, "conviction" includes an adjudication of guilt, a plea of guilty, and a plea of nolo contendere.

(c) License Surrenders. – When a person or entity licensed under Article 9A of Chapter 143 of the General Statutes is accused of any act, omission, or misconduct that would subject the license to suspension or revocation, the licensee, with the consent and approval of the State Fire Marshal, may surrender the license for a period of time established by the State Fire Marshal. A person or entity who surrenders a license shall not thereafter be eligible for or submit any application for licensure during the period of license surrender. (2023-151, s. 10.1(a).)