

April 3, 2003

S 847. CLARIFY FEES CHARGED TO RESIDENTIAL TENANTS. TO CLARIFY LATE AND ADMINISTRATIVE FEES CHARGED TO RESIDENTIAL TENANTS. Amends GS 42-46 regarding late fees as follows: if rent is payable monthly, late fee may not exceed \$15 or 5% of monthly rent, whichever is greater; if rent is payable weekly, late fee may not exceed \$4 or 1% of weekly rent, whichever is greater; if rent is subsidized by HUD or other specified government agency, late fee is determined based on tenant's share of rent, not rental subsidy. Prohibits additional administrative fees or charges except as follows: in summary ejectment action, court may allow landlord an administrative fee not to exceed \$50 for any lease with rental rate of \$500 or more per month (\$25 for any lease with rental rate less than \$500 per month) if landlord owns or manages 50 or fewer dwelling units in county, tenant is personally served with complaint and summons at least 2 days before small claims hearing, and landlord prevails on claims for summary ejectment, rent, or damages. Inclusion of prohibited provisions in lease constitutes an unfair trade practice in violation of GS 75-1.1.

Intro. by Gulley.

Ref. to	GS 42
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April 21, 2003

S 847. TENANT LATE FEES/EARLY MILITARY LEASE TERM (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 1st edition: (1) changes title to *AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS AND TO PERMIT MILITARY PERSONNEL DEPLOYED ON CERTAIN TEMPORARY ASSIGNMENTS TO TERMINATE RENTAL AGREEMENTS EARLY*; (2) deletes all provisions concerning the imposition of administrative fees; (3) amends GS 42-45(a) to allow military personnel to terminate a rental agreement early if they have received temporary duty orders in excess of three months duration that require relocation at least 50 miles from the location of the dwelling unit; (4) changes the cap on late fees for rents due in weekly installments from \$4.00 or 1% of the weekly rent (whichever is greater) to \$4.00 or 5% of the weekly rent (whichever is greater); and (5) makes other editorial changes.

June 10, 2003

S 847. TENANT LATE FEES (NEW). Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Deletes amendment to GS 42-45(a).

August 8, 2003

SL 2003-370 (S 847). TENANT LATE FEES. AN ACT TO CLARIFY LATE FEES CHARGED TO RESIDENTIAL TENANTS. Summarized in *Daily Bulletin* 4/3/03, 4/21/03, and 6/10/03. Enacted August 1, 2003. Effective August 1, 2003.