

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1243

Short Title: Manufactured Homes/Good Faith Evictions. (Public)

Sponsors: Representatives Fisher, Bordsen (Primary Sponsors); Brown, Dickson,
 England, Harrison, Insko, Luebke, McAllister, and Weiss.

Referred to: Judiciary II.

April 18, 2005

A BILL TO BE ENTITLED
AN ACT REQUIRING GOOD FAITH CAUSE FOR THE EVICTION OF TENANTS
RENTING SPACE FOR RESIDENTIAL MANUFACTURED HOMES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 42-14 reads as rewritten:

"§ 42-14. Notice to quit in certain tenancies.

A tenancy from year to year may be terminated by a notice to quit given one month or more before the end of the current year of the tenancy; a tenancy from month to month by a like notice of seven days; a tenancy from week to week, of two days. Provided, however, where the tenancy involves only the rental of a space for a manufactured home as defined in G.S. 143-143.9(6), home, as defined in G.S. 143-143.9(6), for residential use, a notice to quit must be given at least 30 days before the end of the current rental period, regardless of the term of the tenancy. the tenancy may be terminated only for the reasons provided in G.S. 42-26(c)."

SECTION 2. G.S. 42-26 is amended by adding the following new subsection to read:

"§ 42-26. Tenant holding over may be dispossessed in certain cases.

...

(c) Notwithstanding the provisions of subsection (a) of this section, the termination of a lease where the tenancy involves only the rental of a space for a manufactured home, as defined in G.S. 143-143.9(6), for residential use shall be for one or more of the following reasons:

(1) When the tenant or lessee, or other person under him, has done or omitted any act by which, according to the stipulations of the lease, his estate has ceased.

(2) When the tenant or lessee, or other person under him, has failed to pay rent as provided in G.S. 42-3.

- 1 (3) When the tenant or lessee, or other person under him, has committed
2 an act that is the basis for eviction under Article 7 of this Chapter.
3 (4) When there is a condemnation or change of use of the land as provided
4 in G.S. 42-14.3, if the landlord complies with the provisions of that
5 section."

6 **SECTION 3.** This act is effective when it becomes law.