

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 829
May 4, 2021
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30366-BD-1

Short Title: Private Residential Rentals. (Public)

Sponsors: Representative Arp.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT LIMITS ON THE ABILITY OF A LOCAL GOVERNMENT
3 TO ADOPT OR ENFORCE DEVELOPMENT REGULATIONS RESTRICTING THE
4 RENTAL OF PRIVATE RESIDENTIAL REAL PROPERTY ARE NOT LIMITED TO
5 REGULATIONS UNDER A LOCAL GOVERNMENT'S BUILDING CODE OR
6 MINIMUM HOUSING CODE.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 160D-1207(c) reads as rewritten:

9 "(c) In no event may a local government do any of the following: (i) adopt or enforce any
10 ordinance that would require any owner or manager of rental property to obtain any permit or
11 permission ~~under Article 11 or Article 12 of this Chapter~~ from the local government to lease or
12 rent residential real property or to register rental property with the local government, except for
13 those individual properties that have more than four verified violations in a rolling 12-month
14 period or two or more verified violations in a rolling 30-day period, or upon the property being
15 identified within the top ten percent (10%) of properties with crime or disorder problems as set
16 forth in a local ordinance, (ii) require that an owner or manager of residential rental property
17 enroll or participate in any governmental program as a condition of obtaining a certificate of
18 occupancy, (iii) levy a special fee or tax on residential rental property that is not also levied
19 against other commercial and residential properties, unless expressly authorized by general law
20 or applicable only to an individual rental unit or property described in clause (i) of this subsection
21 and the fee does not exceed five hundred dollars (\$500.00) in any 12-month period in which the
22 unit or property is found to have verified violations, (iv) provide that any violation of a rental
23 registration ordinance is punishable as a criminal offense, or (v) require any owner or manager
24 of rental property to submit to an inspection before receiving any utility service provided by the
25 local government. For purposes of this section, the term "verified violation" means all of the
26 following:

- 27 (1) The aggregate of all violations of housing ordinances or codes found in an
28 individual rental unit of residential real property during a 72-hour period.
- 29 (2) Any violations that have not been corrected by the owner or manager within
30 21 days of receipt of written notice from the local government of the
31 violations. Should the same violation occur more than two times in a 12-month
32 period, the owner or manager may not have the option of correcting the
33 violation. If the housing code provides that any form of prohibited tenant
34 behavior constitutes a violation by the owner or manager of the rental
35 property, it shall be deemed a correction of the tenant-related violation if the
36 owner or manager, within 30 days of receipt of written notice of the



1 tenant-related violation, brings a summary ejection action to have the tenant
2 evicted."

3 **SECTION 2.** This act becomes effective October 1, 2021, and any inconsistent
4 ordinance or policy shall be void and unenforceable on or after that date.