

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**HOUSE BILL 829  
PROPOSED COMMITTEE SUBSTITUTE H829-PCS40620-BD-18**

Short Title: Chapter 160D Technical Correction.

(Public)

Sponsors:

Referred to:

May 5, 2021

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO RESTORE, TO THE STATE OF ITS EXISTENCE IMMEDIATELY PRIOR TO  
3 THE EFFECTIVE DATE OF CHAPTER 160D OF THE GENERAL STATUTES, THE  
4 LAW GOVERNING THE AUTHORITY OF COUNTIES AND CITIES TO CONDUCT  
5 PERIODIC INSPECTIONS FOR HAZARDOUS OR UNLAWFUL CONDITIONS.

6 The General Assembly of North Carolina enacts:

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

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

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



1                           tenant-related violation, brings a summary ejectment 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.