



HOUSE BILL 530: Local Gov'ts/Inspect Bldgs & Structures

2015-2016 General Assembly

Committee:	House Local Government, if favorable, Regulatory Reform	Date:	April 15, 2015
Introduced by:	Reps. Brawley, Brisson, Bumgardner, Cotham	Prepared by:	Giles S. Perry Committee Counsel
Analysis of:	First Edition		

SUMMARY: *House Bill 530 makes changes to the law governing county and city inspection of residential structures.*

CURRENT LAW: Under current law, (G.S.153A-364 and G.S.160A-424) county or city inspection departments are authorized to make periodic inspections of residential structures in the following circumstances:

- When there is reasonable cause to believe that unsafe, unsanitary, or otherwise hazardous or unlawful conditions may exist in a residential building or structure.
- In a county or city designated target area with a plan for improvements.

In addition, current law:

- prohibits counties and cities from requiring a permit to lease or rent residential property, unless the units that have a history violations of housing ordinances or codes, or crime or disorder problems.
- authorizes counties and cities to levy a fee for residential property registration only for those rental units with 2 or more violations of housing ordinances or codes within a 12 month period, or in the top 10% of properties with crime or disorder problems.

BILL ANALYSIS: House Bill 530 amends county and city authority to inspect residential structures to provide that:

- revises the authority for residential "periodic inspections" to "inspections".
- changes the definition of reasonable cause for inspection to properties with 7 verified violations of housing codes or ordinances within a rolling 12-month period.
- in conducting residential inspections, the inspection department shall not discriminate between owner-occupied and tenant-occupied buildings.
- in conducting residential inspections as part of a targeted effort in a designated area, the inspections must be in response to blighted or potentially blighted conditions, and limits the total targeted areas to one square mile or 5% of the county, whichever is greater.
- registration of rental property is prohibited, except for individual rental units with more than three verified violations in a 12-month period, or property identified in the top 4% of property with crime and disorder problems.

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- provides that the general prohibition on any requirement for a residential rental property permit, other than for those units with specified and verified code or crime problems, also includes a prohibition of a registration requirement.
- limits registration fee requirements to individual units; limits registration fees to \$500, prohibits posting of registration requirements, prohibits making violation of a registration requirement a criminal offense; prohibits requiring any owner or manager of rental property to submit to an inspection before receiving any utility service provided by the county or city.
- defines "verified violation" to mean all violations in a unit in a 72 hour period, and violations uncorrected in a 30 period after receipt of written notice, and that initiation of summary ejection constitutes a correction of a violation.
- provides that if a property is identified by the county or city as being in the top (4%) of properties with crime or disorder problems, the county or city shall notify the landlord and allow the landlord an opportunity to correct the issue.
- provides that the county sheriff's department or city police, as applicable, shall assist the landlord in addressing any criminal activity. If the county sheriff or city police, as applicable, does not cooperate in evicting a tenant, the tenant's behavior or activity shall not be counted as a crime or disorder problem.
- provides that if the county or city takes action against an individual rental unit, the owner of the individual rental unit may appeal the decision to the housing appeals board, or the planning board, or if neither is created, the county or city manager, as applicable.

EFFECTIVE DATE: This act is effective when it becomes law.