



# HOUSE BILL 829: Chapter 160D Technical Correction.

2021-2022 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 11, 2021
<b>Introduced by:</b>	Rep. Arp	<b>Prepared by:</b>	Greg Roney
<b>Analysis of:</b>	Second Edition		Staff Attorney

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**OVERVIEW:** *House Bill 829 would clarify the prohibition on a local government's ability to require permits or a registration system for residential real property rentals. Current law prohibits local governments from adopting ordinances under building code enforcement or minimum housing code enforcement regulating residential real property rentals.*

**CURRENT LAW:** Chapter 160D authorizes local governments to adopt planning and development regulations. Article 11 of Chapter 160D authorizes local governments to adopt ordinances to enforce the State Building Code including the authority to issue permits, conduct inspections, and charge fees. Article 12 of Chapter 160D authorizes local governments to adopt a minimum housing code to ensure that dwellings are fit for human habitation including the authority to exercise police powers to inspect, repair, close, or demolish the dwellings.

G.S. 160D-1207(c) limits the authority of local governments to regulate residential real property rentals. Local governments are prohibited from adopting ordinances under Article 11 (building code) or Article 12 (minimum housing code) requiring owners of rental property to obtain permits to rent residential real property.

**BILL ANALYSIS:** House Bill 829 would clarify that a local government is prohibited from adopting or enforcing an ordinance requiring a permit or registration system to lease or rent residential real property and would provide that this prohibition is not limited to ordinances adopted under Article 11 (building code enforcement) or Article 12 (minimum housing code enforcement) of Chapter 160D of the General Statutes.

**EFFECTIVE DATE:** House Bill 829 would become effective October 1, 2021, and would void any inconsistent ordinance on or after that date.

*Billy Godwin, with the Legislative Analysis Division, substantially contributed to this summary.*

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