

North Carolina Landlord Tenant Law Summary

- Rent Control: (Rent control exempted in 1987)
- When rent is due: *not addressed*
- Grace period: *not addressed*
- Where rent is due: *not addressed*
- Notice required to terminate or change month-to-month tenancy: **7 days**; N.C. Gen. Stat. § 42-14
- Notice to increase rent: *no statute*
- Notice to quit for non-payment: **10 days**; N.C. Gen. Stat. § 42-3
- Unconditional Quit Terminations:
 - N.C. Gen. Stat. § 42-26; **Immediately**; Violation of a lease term that specifies that eviction will result from noncompliance.
 - N.C. Gen. Stat. § 42-59 to -76; **Immediately**; Tenant or guest engaging in criminal activity on or near the property, failure of tenant to immediately notify landlord or law enforcement about the re-entry into the tenant's dwelling of someone who has been previously banned from the property pursuant to this law (no criminal conviction or arrest necessary for banned trespasser)
- Time to move out before landlord can file eviction:
- Termination for lease violation: Landlord can terminate with an Unconditional Quit Notice.
- Notice to enter: *no statute*
- Law prohibiting retaliation: N.C. Gen. Stat. § 42-37.1
- Statute on Withholding: *no statute*
- Statute on Repair and Deduct: *no statute*
- Average time to complete eviction: **45 days**.
- Security Deposit Law: N.C. Gen. Stat. §§ 42-50 to -56
- Maximum Security Deposit: 2 weeks' rent if the tenancy is week-to-week, 1.5 month's rent if the tenancy is month-to-month, and up to 2 months' for longer periods.
- Time allowed to return Security Deposit: **30 days**
- Late charges: N.C. Gen. Stat. § 42-46; after 5 days, of the greater of \$15 or 5 percent of the rental payment, but no more.
- For NC Gen Stat. Information see: <http://www.ncga.state.nc.us>

Rob Cassam, MBA, CCIM, Broker (NC, SC)
Carolina Realty Advisors
201 W. Morehead St. Suite 200
Charlotte NC 28202
Toll Free: 800-587-4066
Phone: 704-442-1774 Ext. 100
Fax: 704-442-8841
<http://www.charlotteNCproperty.com>
<mailto:robass@ix.netcom.com>