

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 951
Committee Substitute Favorable 5/9/91

Short Title: Intent to Eject Notice.

(Public)

Sponsors:

Referred to:

April 19, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW A LANDLORD'S WRITTEN, SIGNED STATEMENT OF
3 PAST-DUE RENT, MADE UPON THE TENANT'S REQUEST, TO SERVE AS
4 NOTIFICATION OF EVICTION FOR EMERGENCY ASSISTANCE FROM THE
5 COUNTY DEPARTMENT OF SOCIAL SERVICES.

6 The General Assembly of North Carolina enacts:

7 Section 1. Article 3 of Chapter 42 of the General Statutes is amended by
8 adding a new section to read:

9 **"§ 42-26.1. Landlord certification of past-due rent.**

10 When a tenant notifies the tenant's landlord that the tenant wants to apply for
11 assistance with rental payments from the department of social services in the county
12 where the tenant resides or from any agency working in cooperation with that
13 department of social services, as provided for under G.S. 108A-39.1, the landlord shall,
14 upon the tenant's request, provide the tenant with a written, signed statement stating any
15 past-due rent that the tenant owes, plus any late fee, and stating that the landlord may
16 pursue summary ejectment if the rent is not paid."

17 Sec. 2. G.S. 108A-39.1 reads as rewritten:

18 **"§ 108A-39.1. AFDC Emergency Assistance Program.**

19 (a) The Social Services Commission shall adopt rules to implement the Aid to
20 Families with Dependent Children-Emergency Assistance (AFDC-EA) Program.
21 Effective November 1, 1986, the Department of Human Resources, Division of Social
22 Services, shall provide emergency assistance to families whose family income does not
23 exceed one hundred ten percent (110%) of the current federal poverty level as

1 established by the U. S. Secretary of Health and Human Services and published
2 annually in the Federal Register. Annual program benefits may not exceed five hundred
3 dollars (\$500.00). Funding for the non-federal share of Emergency Assistance benefits
4 shall be shared at a rate of fifty percent (50%) State participation and fifty percent
5 (50%) county participation.

6 (b) A written, signed statement by a tenant's landlord, as provided for in G.S. 42-
7 26.1, shall constitute sufficient formal notification of eviction under the AFDC-EA
8 Program provided for in subsection (a) of this section."

9 Sec. 3. This act becomes effective July 1, 1991, and applies to ejection
10 actions brought on or after that date. This act shall expire on June 30, 1992.