

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 97

Short Title: Housing Auth. Lease Termination.

(Public)

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Sponsors: Representatives Black, Lemmond (cosponsors); Ives, Easterling, Wilson, and Wood.

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Referred to: Rules, Calendar, and Operations of the House.

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February 14, 1994

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THAT THERE IS NOT A SEPARATE REQUIREMENT OF  
2 FAULT FOR PUBLIC HOUSING AUTHORITY LEASE TERMINATION  
3 BEYOND WHAT IS ALREADY STATED IN LAW AND REGULATIONS.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 157-29(c) reads as rewritten:

7 "(c) An authority may terminate or refuse to renew a rental agreement for a  
8 serious or repeated violation of a material term of the rental agreement such as (i)  
9 failure to make payments due under the rental agreement, if such payments were  
10 properly and promptly calculated according to ~~applicable HUD regulation, the rental~~  
11 agreement and any federal law or regulation applicable to the authority, whether or not  
12 such failure was the fault of the tenant, (ii) failure to fulfill the tenant obligations set  
13 forth in 24 C.F.R. Section 966.4(f) or other applicable provisions of federal law as they may be  
14 amended from time to time, under the rental agreement that are expressly required or  
15 permitted by federal law or regulation applicable to the authority (including the  
16 obligations specified in 24 C.F.R. Section 966.4(f), without regard to fault on the part of  
17 the tenant beyond that required under applicable federal law or regulation, or (iii) other  
18 good cause. Except in the case of failure to make payments due under a rental  
19 agreement, fault on the part of a tenant may be considered in determining whether good  
20 cause exists to terminate a rental agreement."

21 Sec. 2. This act becomes effective July 1, 1994.