

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 594
Apr 3, 2019
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40268-MQ-95

Short Title: HOAs- Leased Properties.

(Public)

Sponsors: Representatives K. Hall, Howard, D. Hall, and Richardson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW LOT OWNERS TO CONTINUE TO LEASE LOTS IN PLANNED
3 COMMUNITIES IF THE DECLARATION OR BYLAWS ARE SUBSEQUENTLY
4 AMENDED TO RESTRICT OR LIMIT LEASING OF PROPERTY IN THE PLANNED
5 COMMUNITY.
6 The General Assembly of North Carolina enacts:
7 **SECTION 1.** Article 3 of Chapter 47F of the General Statutes is amended by adding
8 a new section to read:
9 **"§ 47F-3-123. Leasing of property by lot owner.**
10 **Notwithstanding any provision in any declaration of covenants or bylaws, a restriction or**
11 **limitation upon the ability of a lot owner to lease a lot within the planned community shall not**
12 **be effective against a lot if the restriction or limitation was not in effect at the time the lot owner**
13 **acquired legal title to the lot."**
14 **SECTION 2.** This act is effective when it becomes law and applies to planned
15 community declarations and bylaws amended on or after that date.

