

# Overview of Landlord-Tenant Laws in North Carolina

<https://www.nolo.com/legal-encyclopedia/overview-landlord-tenant-laws-north-carolina.html>

Find out key laws every North Carolina landlord and tenant needs to know.

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Both landlords and tenants should be able to deal with many legal questions and problems without a lawyer, once they understand the basics of state law. This overview of key landlord-tenant laws in North Carolina will get you started.

## Required Landlord Disclosures in North Carolina

Under North Carolina law, landlords must disclose specific information to tenants (usually in the lease or rental agreement), such as the name and address of the banking institution where the security deposit is kept. For a full list, see [North Carolina Required Landlord Disclosures](#).

## North Carolina Security Deposit Limit and Return

North Carolina state law limits how much a landlord can charge for a security deposit (one- and one-half month's rent for month-to-month rental agreements or two months if the rental term is longer than two months, and landlords may apply an additional "reasonable" nonrefundable deposit for pets), when it must be returned (within 30 days after a tenant moves, though if a landlord's claim against the deposit cannot be finalized within that time, the landlord may send an interim accounting at the 30-day point and then a final accounting within 60 days), and sets other restrictions on deposits. See [North Carolina Security Deposit Limits and Deadlines](#) for more on the subject.

## Small Claims Lawsuits in North Carolina

Tenants can sue landlords in small claims court for the return of their deposit, up to a dollar amount of \$5,000. See [Filing a Security Deposit Lawsuit in North Carolina Small Claims Court](#) for advice for tenants filing suit. Landlords defending a security deposit lawsuit should check out [North Carolina Landlord's Guide to Security Deposit Disputes in Small Claims Court](#).

## North Carolina Late Fees and Other Rent Rules

State law regulates several rent-related issues, including late fees and how much time (10 days in North Carolina) a tenant has to pay overdue rent or move before a landlord can file for eviction. For details, see [North Carolina Late Fees, Termination for Nonpayment of Rent, and Other Rent Rules](#).

## Tenant Rights to Withhold Rent in North Carolina

Tenants may withhold rent or exercise the right to "repair and deduct" if a landlord fails to take care of important repairs, such as a broken heater. For specifics, see [North Carolina Tenant Rights to Withhold Rent or "Repair and Deduct"](#).

## North Carolina Termination and Eviction Rules

State laws specify when and how a landlord may terminate a tenancy. For example, a landlord may give a North Carolina tenant who has violated a lease term that specifies that eviction will result from noncompliance an unconditional quit notice. If the tenant does not move out immediately the landlord can file for eviction. See [State Laws on Unconditional Quit Terminations](#) and [State Laws on Termination for Violation of Lease](#) for details on these types of termination notices in North Carolina.

## Landlord Access to Rental Property, Tenant Protection Against Retaliation, and Other State Laws in North Carolina

Several other landlord-tenant laws in North Carolina affect both property owners and renters, including:

- tenant protections against landlord retaliation for tenant exercising a legal right, such as complaining about an unsafe living condition (see [North Carolina State Laws Prohibiting Landlord Retaliation](#) for details)
- special protections for tenants who are victims of domestic violence (see [North Carolina State Laws Affecting Tenants in Domestic Violence Situations](#))

- procedures for how landlords must handle [abandoned property left behind by tenants](#), and
- fair housing rights (discrimination is also prohibited by federal and, often, local law—see the [Housing Discrimination](#) section of the Nolo site for details).

## Where to Find North Carolina Landlord-Tenant Statutes

If you want to read the text of a law itself, such as state security deposit rules, you'll find citations in many of the articles and charts included in the [State Landlord-Tenant Laws](#) section of the Nolo site. To access the statutes, go to the [North Carolina Laws and Legal Information](#) section of the Nolo site and find the link to your state laws.

If you just want to browse through the North Carolina landlord-tenant law, you can find state statutes at N.C. Gen. Stat. § 42-1 to 42-14.2; 42-25.6 to 42-76. You can search the table of contents for the landlord-tenant statutes. Or, if you don't know the exact statute number, you can enter a keyword that is likely to be in it, such as "nonpayment of rent."

In addition to accessing state laws via Nolo's website, North Carolina statutes are available in many public libraries and in most law libraries that are open to the public (typically found in a county courthouse or at the state capitol or in a publicly-funded law school).

## Local Ordinances Affecting North Carolina Landlords and Tenants

Cities and counties often pass local ordinances, such as health and safety standards, noise and nuisance regulations, and antidiscrimination rules that affect landlords and tenants. Many municipalities have websites—just search for the name of a particular city in North Carolina and then do a search when you're on the site. For example, if you search for the noise ordinance in the City of Charlotte website, you'll easily find a [summary of it](#).

[State and Local Government on the Net](#) and [Municode](#) are good sources for finding local governments online. Also, your local public library or office of the city attorney, mayor, or city or county manager can provide information on local ordinances that affect landlords and tenants in North Carolina.

## Federal Landlord-Tenant Laws and Regulations

While most landlords and tenants will primarily be concerned with state law in North Carolina, several federal laws come into play. Congress has enacted laws, and federal agencies, such as [the U.S. Department of Housing and Urban Development \(HUD\)](#) and the [U.S. Environmental Protection Agency \(EPA\)](#), have adopted regulations, covering [discrimination](#) and landlord responsibilities to disclose environmental health hazards, such as [lead-based paint](#).

The U.S. Code is the starting place for most federal statutory research. It consists of 50 separate numbered titles, each covering a specific subject matter. Most federal regulations are published in the Code of Federal Regulations ("CFR"), also organized by subject into 50 separate titles.

To access the U.S. Code and Code of Federal Regulations online, see [Nolo's Federal Law Resources](#) page. Also, the [Cornell Legal Information Institute](#) provides the entire U.S. Code as well as the Code of Federal Regulations. Finally, check [USA.gov](#), the official U.S. website for government information.

## Nolo Resources on Legal Research and Landlord-Tenant Law

[Nolo's Laws and Legal Research](#) page includes links to state and federal laws, explains how to research and understand statutes, and provides advice on finding local ordinances and court cases, including Supreme Court cases. To go further, check out [Legal Research: How to Find & Understand the Law](#), by Stephen Elias and the Editors of Nolo (Nolo). This nontechnical book gives easy-to-use, step-by-step instructions on how to find legal information.

You'll also find a wealth of information in the [Landlords](#) and [Renters' Rights](#) sections of the Nolo website and Nolo books, such as [Every Landlord's Legal Guide](#) and [Every Tenant's Legal Guide](#).