

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.

