

# North Carolina Landlord-Tenant Laws: Rights and Duties for Both Sides

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/north-carolina-landlord-tenant-rights>

North Carolina rental rules sit in Chapter 42 of the General Statutes. The Residential Rental Agreements Act sets the landlord's duty to keep the home fit and safe, and separate articles cover retaliation, fees and deposits.

## Key points

- A tenant can defend an eviction as retaliatory if it was substantially a response to a good faith repair request, code complaint or tenant organizing within the prior 12 months.
- For monthly rent, a late fee may not exceed \$15 or 5 percent of the monthly rent, whichever is greater, and may be charged only once per late payment.
- A late fee may be charged only when rent is five calendar days or more late, counting from the day after it was due.
- The landlord must return the deposit, with an itemized list of any damage, within 30 days after the tenancy ends, or send an interim accounting then and a final one within 60 days if the claim is not yet known.
- There is no statewide statute on entry notice, so the lease controls and landlords are generally expected to give reasonable notice except in emergencies.

## North Carolina at a glance

| Rule                   | North Carolina                                                                                                                                                                    | Law                                                                            |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| Notice before entry    | There is no statewide statute on entry notice, so the lease controls and landlords are generally expected to give reasonable notice except in emergencies.                        | N.C. General Statutes Chapter 42 (no statewide entry statute)                  |
| Tenant repair remedies | The landlord must keep the home fit and habitable, but a tenant may not simply withhold rent; instead the tenant can ask a court for rent abatement or damages.                   | Residential Rental Agreements Act (N.C. General Statutes Chapter 42 Article 5) |
| Retaliation protection | A tenant can defend an eviction as retaliatory if it was substantially a response to a good faith repair request, code complaint or tenant organizing within the prior 12 months. | N.C. General Statutes section 42-37.1                                          |

| Rule                           | North Carolina                                                                                                                                                                                                     | Law                                 |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Late fees                      | For monthly rent, a late fee may not exceed \$15 or 5 percent of the monthly rent, whichever is greater, and may be charged only once per late payment.                                                            | N.C. General Statutes section 42-46 |
| Grace period                   | A late fee may be charged only when rent is five calendar days or more late, counting from the day after it was due.                                                                                               | N.C. General Statutes section 42-46 |
| Deadline to return the deposit | The landlord must return the deposit, with an itemized list of any damage, within 30 days after the tenancy ends, or send an interim accounting then and a final one within 60 days if the claim is not yet known. | N.C. General Statutes section 42-52 |

## Mistakes to avoid

- Entering a unit without the notice the lease or the law requires.
- Letting a written repair request sit without a reply or a plan.
- Leaving required disclosures out of the lease packet.
- Applying screening criteria differently from one applicant to the next.
- Raising rent or ending a tenancy soon after a complaint without a documented, unrelated reason.

## Verify current law

Laws named in this summary:

- N.C. General Statutes Chapter 42 (no statewide entry statute)
- Residential Rental Agreements Act (N.C. General Statutes Chapter 42 Article 5)
- N.C. General Statutes section 42-37.1
- N.C. General Statutes section 42-46
- N.C. General Statutes section 42-52
- North Carolina State Fair Housing Act and N.C. General Statutes section 42-14.1
- Residential Lead-Based Paint Hazard Reduction Act (42 U.S.C. 4852d)
- N.C. General Statutes section 42-50
- N.C. General Statutes section 42-42
- N.C. General Statutes section 42-51

Official sources:

- North Carolina General Assembly: General Statutes: <https://www.ncleg.gov/Laws/GeneralStatutes>
- North Carolina Judicial Branch: <https://www.nccourts.gov/>

General information, not legal advice. Check current law and talk to a North Carolina attorney before you act.  
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