



## 2016 NC REALTORS® LEGISLATIVE TALKING POINTS

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Advocacy is a valuable part of being a REALTOR® and NC REALTORS® Legislative Day is your opportunity to speak with your local legislators on issues of importance to your industry, your business, and your clients. Using a REALTOR® is always The Smart Move™ so make sure that your legislators know that our policies are equally The Smart Move™ for the future of our state.

### PRIVATE ROAD MAINTENANCE

Having quality infrastructure is a key component of strong communities. And an established, maintained road system is one of its most important parts. But in many communities across North Carolina, that is not possible because of nonexistent or otherwise complicated road maintenance agreements. This has led to “orphan roads” in subdivisions throughout the state, placing the burden for improvements on property owners. The costs for these improvements can be exorbitant, causing roads to fall into such states of disrepair that emergency vehicles and even school buses won’t travel them.

NC REALTORS® support [Senate Bill 778](#) as it seeks to alleviate some of the problems presented by these “orphan roads”, especially when they fall outside of municipal boundaries. The legislation provides:

- Performance bonds for future developments to ensure that the necessary road work is completed up to state standards and ultimately accepted by NC Department of Transportation (NCDOT) into the road system.
- Requires that NCDOT work with each county to develop a database which includes the classification (public/private) for each road in the county. This will allow consumers to be knowledgeable about their purchases and provide comfort to lending institutions in transactions.

This legislation represents a huge step forward in protecting property owners and property values.

**NC REALTORS® Position: Please thank your Representatives for voting to support Senate Bill 778. Also, ask your Senators to support Senate Bill 778 and pass it this session.**

### PRIVATE PROCESS SERVERS

North Carolina landlords are the only persons involved in civil matters not allowed to use a private process server to serve notice of a court proceeding. When they are trying to evict a non-paying tenant, they must first file a complaint with the clerk of court which is sent to the Sheriff’s office for an officer to carry out the service of summons on the tenant. If the officer is unable to serve the tenant in person, using one of the various statutory options, they are allowed to affix a copy of the notice in a conspicuous part of the property to show compliance with the law. While this practice is legal, it prevents the landlord from seeking monies owed during the eviction proceeding.

NC REALTORS® support [House Bill 811](#) and allowing private process servers to serve summary ejectment notices because:

- The delays within the system are costing landlords tens of millions of dollars annually.
  - A May 2014 study took a random sample of 192 eviction cases filed in Mecklenburg County. Of those cases, only 33.8 percent were served by the Sheriff’s Department within the statutorily required five-day period. This is only one of 100 counties.
- Private process can easily correct this government inefficiency, creating private sector jobs around the state.
- 33 states offer private sector alternatives to summons delivery in eviction cases.

- Offering a private-sector option would reduce the workload for officers, allowing them to focus their attention on more pressing community issues. Sheriff's departments operating under the current standards would still be used by landlords as they would be the less expensive option. Thus, this will not result in a loss of revenue.

**NC REALTORS® Position: Please ask your Senators to hear and support HB 881.**

## **UNDERGROUND STORAGE TANK FUND**

During last year's session, legislators ended funding for the state's Noncommercial Underground Storage Tank Fund. This fund has previously supported property owners across our state who have purchased homes that have had buried tanks which now pose environmental risks to their property, as well as the surrounding area. By ending the fund, these property owners are now left to pay for the removal of the tank and remediation of any pollution on their own, a cost which can be significant.

Encourage your legislators to restore the funding for this valuable program. Let them know we have been collecting stories from across the state to show the impact that the fund's closure has had on property owners and potential property sales. So far we have received many stories presenting the negative impact that this action has had.

**NC REALTORS® Position: Encourage your legislators to restore funding to the Noncommercial Leaking Underground Petroleum Storage Tank Fund as soon as possible.**

## **BUDGET THANK YOU**

The annual budget process always presents unique challenges, especially when protecting funding for important programs like the Workforce Housing Loan Program, the Housing Trust Fund, historic tax credits and the film grants program.

In this year's budget, legislators preserved funding for these programs and also protected the Mortgage Interest Deduction. While we have seen great progress in the support of these programs, we also remain opposed to any future sales tax on services which would unfairly increase the cost of property ownership.

**NC REALTORS® Position: Thank your Senators and Representatives for continuing to support the issues and programs that are so important to your industry, the state's economy and consumers.**

## **2016 NC REALTORS® Social Responsibility Report**

Make sure to share the [2016 NC REALTORS® Social Responsibility Report](#) with your legislators! This report shows the true impact that REALTORS® have in their local communities and the valuable role that each of you have in supporting important causes in your areas. REALTORS® give back to their local communities to ensure that they remain The Smart Move™ for residents and businesses alike for many years to come.



*NC REALTORS® represents more than 36,000 members across North Carolina. From the mountains to the coast, our members are engaged in all aspects of the real estate industry, from residential and commercial brokerage to property management, NC REALTORS® are advocates for policy initiatives which preserve and promote the right to own, transfer, and use real property. NC REALTORS® are committed to ensuring that North Carolina remains The Smart Move™ for residents and businesses.*

*If you have questions about these or other issues, please contact Cady Thomas, Director of Government Affairs ([cthomas@ncrealtors.org](mailto:cthomas@ncrealtors.org)) or Isabel Villa-Garcia, Legislative Affairs Manager ([ivilla-garcia@ncrealtors.org](mailto:ivilla-garcia@ncrealtors.org)).*