



CHAPTER 131D
ARTICLE 1 - ADULT CARE HOMES

N.C.G.S. § 131D-2.6.

Legal action by Department.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 04:03 UTC	SOURCE FINGERPRINT 4c569d163c111803a5c2eaa9 - e92632a79864123762b7bdbf - f5c84fc136b95652
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§ 131D-2.6(a) Notwithstanding the existence or pursuit of any other remedy, the Department may, in the manner provided by law, maintain an action in the name of the State for injunction or other process against any person to restrain or prevent the establishment, conduct, management, or operation of an adult care home without a license. Such action shall be instituted in the superior court of the county in which any unlicensed activity has occurred or is occurring.

§ 131D-2.6(a1) The Department and county departments of social services may inspect any of the following as authorized by law:

- (1) A residence or facility the Department believes to be operating as an assisted living residence without an appropriate license or registration.
- (2) A registered multiunit assisted housing with services facility to determine if it is operating as a licensable adult care home facility without a license.

§ 131D-2.6(b) Any individual or corporation that establishes, conducts, manages, or operates an assisted living facility without a license or registration, as required under this Article, is guilty of a Class H felony, including a fine of one thousand dollars (\$1,000) per day for each day the facility is in operation in violation of this Article. Each day of a continuing violation after conviction shall be considered a separate offense.

§ 131D-2.6(c) If any person shall hinder the proper performance of duty of the Secretary or the Secretary's representative in carrying out this section, the Secretary may institute an action in the superior court of the county in which the hindrance has occurred for

injunctive relief against the continued hindrance, irrespective of all other remedies at law.

§ 131D-2.6(d)

Actions under this section shall be in accordance with Article 37 of Chapter 1 of the General Statutes and Rule 65 of the Rules of Civil Procedure. (2009-462, s. 1(e); 2025-27, s. 3.2(b).)

END OF SECTION TEXT

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APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 131D-2.6 (2026).

PINPOINT

N.C. Gen. Stat. § 131D-2.6(a) (2026).

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