



CHAPTER 14

ARTICLE 20A - RESIDENTIAL MORTGAGE FRAUD ACT

N.C.G.S. § 14-118.12.

Residential mortgage fraud.

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, 04:25 UTC	SOURCE FINGERPRINT 660a1b57c58a511190caf4f7 - c60abdb5262b1cab67ca8ee2 - a5e4c83611792e89
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§ 14-118.12(a)

A person is guilty of residential mortgage fraud when, for financial gain and with the intent to defraud, that person does any of the following:

- (1) Knowingly makes or attempts to make any material misstatement, misrepresentation, or omission within the mortgage lending process with the intention that a mortgage lender, mortgage broker, borrower, or any other person or entity that is involved in the mortgage lending process relies on it.
- (2) Knowingly uses or facilitates or attempts to use or facilitate the use of any misstatement, misrepresentation, or omission within the mortgage lending process with the intention that a mortgage lender, borrower, or any other person or entity that is involved in the mortgage lending process relies on it.
- (3) Receives or attempts to receive proceeds or any other funds in connection with a residential mortgage closing that the person knew, or should have known, resulted from a violation of subdivision (1) or (2) of this subsection.
- (4) Conspires or solicits another to violate any of the provisions of subdivision (1), (2), or (3) of this subsection.
- (5) Knowingly files in a public record or a private record generally available to the public a document falsely claiming that a mortgage loan has been satisfied, discharged, released, revoked, or terminated or is invalid.

§ 14-118.12(b)

It shall be sufficient in any prosecution under this Article for residential mortgage fraud to show that the party accused did the act with the intent to deceive or defraud. It shall be unnecessary to show that any particular person or entity was

harmed financially in the transaction or that the person or entity to whom the deliberate misstatement, misrepresentation, or omission was made relied upon the misstatement, misrepresentation, or omission. (2007-163, s. 1; 2012-150, s. 5.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 14-118.12 (2026).

PINPOINT

N.C. Gen. Stat. § 14-118.12(a) (2026).

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