



CHAPTER 39
ARTICLE 1 - CONSTRUCTION AND SUFFICIENCY

N.C.G.S. § 39-6.6.

Subordination agreements.

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, 03:25 UTC	SOURCE FINGERPRINT d9ca11a4bc2acfaeda13d1a1 - 1cd2b26ccfd33b72f188f0b9 - b8122f4de238e251
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- § 39-6.6(a)

A subordination agreement shall be given effect in accordance with its terms and is not required to state any interest rate, principal amount secured, or other financial terms.
- § 39-6.6(b)

The trustee of a deed of trust shall not be a necessary party to a subordination agreement unless the deed of trust provides otherwise.
- § 39-6.6(c)

For purposes of G.S. 1-47, a subordination agreement is deemed a conveyance of an interest in real property.
- § 39-6.6(d)

This section is not exclusive. No subordination agreement that is otherwise valid shall be invalidated by this section.
- § 39-6.6(e)

This section applies to a subordination agreement regardless of when the agreement was signed by the party or parties thereto, except that this section does not apply to an agreement that (i) is the subject of litigation pending on the effective date of this subsection, and (ii) was filed or recorded before October 1, 2003.
- § 39-6.6(f)

In this section:

- (1) "Interest in real property" includes all rights, title, and interest in and to land, buildings, and other improvements of an owner, tenant, subtenant, secured lender, materialman, judgment creditor, lienholder, or other person, whether the interest in real property is evidenced by a deed, easement, lease, sublease, deed of trust, mortgage, assignment of leases and rents, judgment, claim of lien, or any other record, instrument, document, or entry of court.
- (2) "Subordination agreement" means a written commitment or agreement to subordinate or that subordinates an interest in real property signed by a person entitled to priority. (2003-219, s. 1; 2005-212, s. 1.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 1-47	(c)	"For purposes of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 39-6.6 (2026).

PINPOINT

N.C. Gen. Stat. § 39-6.6(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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