



CHAPTER 41
ARTICLE 5 - TENANCY BY THE ENTIRETY

N.C.G.S. § 41-58.

Possession and control of entireties property.

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 b48b5491fd2b6316e83b079b - 6b972bbdf97fd91384e52288 - 7f6b581a90e84228
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- § 41-58(a)

Spouses shall have an equal right to the control, use, possession, and income from property held by them as tenants by the entirety.
- § 41-58(b)

Neither spouse may bargain, sell, lease, mortgage, transfer, convey, sign, pay out, or in any manner encumber any property held by them as tenants by the entirety without the written joinder of the other spouse. This section shall not be construed to require the spouse's joinder where a different provision is made under G.S. 41-56(b), G.S. 41-63(4), G.S. 39-13, G.S. 39-13.3, G.S. 39-13.4, or G.S. 52-10.
- § 41-58(c)

The mortgage or sale of an interest in real property held by spouses as tenants by the entirety where one or both spouses is incompetent is governed by the provisions of Article 15 of Chapter 35A of the General Statutes. (1981 (Reg. Sess., 1982), c. 1245, s. 1; 1983, c. 449, ss. 1, 2; 2020-50, s. 1(a)-(c).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
6 AUTHORITIES

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
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G.S. 41-56(b)	(b)	"a different provision is made under"
G.S. 41-63(4)	(b)	"provision is made under G.S. 41-56(b),"
G.S. 39-13	(b)	"made under G.S. 41-56(b), G.S. 41-63(4),"
G.S. 39-13.3	(b)	"G.S. 41-56(b), G.S. 41-63(4), G.S. 39-13,"
G.S. 39-13.4	(b)	"G.S. 41-63(4), G.S. 39-13, G.S. 39-13.3,"
G.S. 52-10	(b)	"39-13, G.S. 39-13.3, G.S. 39-13.4, or"

APPARATUS III

Citation

FULL SECTION
N.C. Gen. Stat. § 41-58 (2026).

PINPOINT
N.C. Gen. Stat. § 41-58(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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