



CHAPTER 41
ARTICLE 5 - TENANCY BY THE ENTIRETY

N.C.G.S. § 41-64.

Termination of tenancy by the entirety
upon death of a spouse.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2020-50, s. 1(a)-(c) — third act in the lineage	RETRIEVED 21 September 2026, 02:02 UTC	SOURCE FINGERPRINT 022b82ffbd4eaac10fca9cc3 - 3892e01f1a4d747e80fcc5ce - 0271dde84ec9bcd0
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- § 41-64(a)

Except as provided in subsection (b) of this section, upon the death of a spouse, property held as tenants by the entirety belongs to the surviving spouse by right of purchase under the original grant or devise and by virtue of survivorship. The deceased spouse has no estate which is descendable or divisible.
- § 41-64(b)

Where a slayer, as defined in G.S. 31A-3(3), and decedent hold property as tenants by the entirety, one-half of the property shall pass upon the death of the decedent to the decedent's estate, and one-half shall be held by the slayer during the slayer's life, subject to pass upon the slayer's death to the slain decedent's heirs or devisees as defined in G.S. 28A-1-1.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
3 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1961		1991	2020
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1961	c. 210, s. 1	ENACTED

02	1979	c. 572	AMENDED
03	2020	S.L. 2020-50, s. 1(a)-(c)	AMENDED

APPARATUS II

2 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
G.S. 31A-3(3)	(b)	"Where a slayer, as defined in"
G.S. 28A-1	(b)	"heirs or devisees as defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 41-64 (2020).

PINPOINT

N.C. Gen. Stat. § 41-64(a) (2020).

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

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1961, c. 210, s. 1; 1979, c. 572; 2020-50, s. 1(a)-(c).)

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