



CHAPTER 45

ARTICLE 2A - SALES UNDER POWER OF SALE

N.C.G.S. § 45-21.17.

Posting and publishing notice of sale of real property.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2015-178, s. 1(a) — ninth act in the lineage	21 September 2026, 04:14 UTC	564db124d9ebcc1bb41f20e3 - 494ba2880c438af69e93b2f8 - 80acc04134434379

In addition to complying with such provisions with respect to posting or publishing notice of sale as are contained in the security instrument,

Notice of sale of real property shall

a.Be posted, in the area designated by the clerk of superior court for posting public notices in the county in which the property is situated, at least 20 days immediately preceding the sale.

b.And in addition thereto,

1.The notice shall be published once a week for at least two successive weeks in a newspaper published and qualified for legal advertising in the county in which the property is situated.

2.If no such newspaper is published in the county, then notice shall be published once a week for at least two successive weeks in a newspaper having a general circulation in the county.

3.In addition to the required newspaper advertisement, the clerk may in his discretion, on application of any interested party, authorize such additional advertisement as in the opinion of the clerk will serve the interest of the parties, and permit the charges for such further advertisement to be taxed as a part of the costs of the foreclosure.

When the notice of sale is published in a newspaper,

a.The period from the date of the first publication to the date of the last publication, both dates inclusive, shall not be less than seven days, including Sundays, and

b.The date of the last publication shall be not more than 10 days preceding the date of the sale.

When the real property to be sold is situated in more than one county, the provisions of subdivisions (1) and (2) shall be complied with in each county in which any part of the property is situated.

The notice of sale shall be mailed by first-class mail at least 20 days prior to the date of sale to each party entitled to notice of the hearing provided by G.S. 45-21.16 whose address is known to the trustee or mortgagee and in addition shall also be mailed by first-class mail to any party desiring a copy of the notice of sale who has complied with G.S. 45-21.17A. If the property is residential and contains less than 15 rental units, including single-family residential real property, the notice of sale shall also be mailed to any person who occupies the property pursuant to a residential rental agreement by name, if known, at the address of the property to be sold. If the name of the person who occupies the property is not known, the notice shall be sent to "occupant" at the address of the property to be sold. Notice of the hearing required by G.S. 45-21.16 shall be sufficient to satisfy the requirement of notice under this section provided such notice contains the information required by G.S. 45-21.16A.

Repealed by Session Laws 1993, c. 305, s. 10.

Any time periods relating to notice of hearing or notice of sale that are provided in the security instrument may commence with and run concurrently with the time periods provided in G.S. 45-21.16, 45-21.17, or 45-21.17A.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
9 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.

	1949						1982										2015
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT																
Nº	YEAR	ACT										CHARACTER					
01	1949	c. 720, s. 1										ENACTED					
02	1965	c. 41										AMENDED					
03	1967	c. 979, s. 3										AMENDED					
04	1975	c. 492, s. 3										AMENDED					
05	1977	c. 359, ss. 11-14										AMENDED					
06	1985	c. 567, s. 1										AMENDED					
07	1993	c. 305, s. 10										AMENDED					

08	2007	S.L. 2007-353, s. 2	AMENDED
09	2015	S.L. 2015-178, s. 1(a)	AMENDED

APPARATUS II

3 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. 45-21.16	(null)(4)	"notice of the hearing provided by"
G.S. 45-21.17A	(null)(4)	"of sale who has complied with"
G.S. 45-21.16A	(null)(4)	"notice contains the information required by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 45-21.17 (2015).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1949, c. 720, s. 1; 1965, c. 41; 1967, c. 979, s. 3; 1975, c. 492, s. 3; 1977, c. 359, ss. 11-14; 1985, c. 567, s. 1; 1993, c. 305, s. 10; 2007-353, s. 2; 2015-178, s. 1(a).)

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