



CHAPTER 45

ARTICLE 2A - SALES UNDER POWER OF SALE

N.C.G.S. § 45-21.29.

Orders for possession.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2019-243, s. 26(c) — eleventh act in the lineage	21 September 2026, 04:14 UTC	fc71a8b0322f977ef40d6316 - dcaafd1ca1ad4e171e87f39 - 8a4e3ab4f6acd28d

§ 45-21.29(a) through (j) Repealed by Session Laws 1993, c. 305, s. 18.

§ 45-21.29(k) Orders for possession of real property sold pursuant to this Article, in favor of the purchaser and against any party or parties in possession at the time of application therefor, may be issued by the clerk of the superior court of the county in which the property is sold if all of the following apply:

- (1) The property has been sold in the exercise of the power of sale contained in any mortgage, deed of trust, leasehold mortgage, leasehold deed of trust, or a power of sale authorized by any other statutory provisions.
- (2) Repealed by Session Laws 1993, c. 305, s. 18.
- (2a) The provisions of this Article have been complied with.
- (3) The sale has been consummated, and the purchase price has been paid.
- (4) The purchaser has acquired title to and is entitled to possession of the real property sold.
- (5) Ten days' notice has been given to the party or parties who remain in possession at the time application is made, or, in the case of residential property containing 15 or more rental units, 30 days' notice has been given to the party or parties who remain in possession at the time the application is made.
- (5a) Repealed by Session Laws 2019-243, s. 26(c), effective November 6, 2019.

- (6) Application is made by petition to the clerk by the mortgagee, the trustee, the purchaser of the property, or any authorized representative of the mortgagee, trustee, or purchaser of the property.

§ 45-21.29(l)

An order for possession issued pursuant to G.S. 45-21.29(k) shall be directed to the sheriff and shall authorize the sheriff to remove all occupants and their personal property from the premises and to put the purchaser in possession, and shall be executed in accordance with the procedure for executing a writ or order for possession in a summary ejectment proceeding under G.S. 42-36.2. The purchaser shall have the same rights and remedies in connection with the execution of an order for possession and the disposition of personal property following execution as are provided to a landlord under North Carolina law, including Chapters 42 and 44A of the General Statutes.

§ 45-21.29(m)

When the real property sold is situated in more than one county, the provisions of subsection (l) of this section shall be complied with in each county in which any part of the property is situated.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
11 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		1984	2019
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1949	c. 720, s. 1	ENACTED
02	1951	c. 252, s. 3	AMENDED
03	1965	c. 299	AMENDED
04	1967	c. 979, s. 3	AMENDED
05	1975	c. 492, ss. 7-9	AMENDED
06	1987	c. 627, s. 3	AMENDED
07	1993	c. 305, s. 18	AMENDED

08	2007	S.L. 2007-353, s. 4	AMENDED
09	2015	S.L. 2015-178, s. 2(a)	AMENDED
10	2019	S.L. 2019-53, s. 1	AMENDED
11	2019	S.L. 2019-243, s. 26(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. 45-21.29(k)	(l)	<i>"order for possession issued pursuant to"</i>
G.S. 42-36.2	(l)	<i>"in a summary ejectment proceeding under"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 45-21.29 (2019).

PINPOINT

N.C. Gen. Stat. § 45-21.29(a) (2019).

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; 1951, c. 252, s. 3; 1965, c. 299; 1967, c. 979, s. 3; 1975, c. 492, ss. 7-9; 1987, c. 627, s. 3; 1993, c. 305, s. 18; 2007-353, s. 4; 2015-178, s. 2(a); 2019-53, s. 1; 2019-243, s. 26(c).)

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