



CHAPTER 93A

ARTICLE 2 - REAL ESTATE RECOVERY FUND

N.C.G.S. § 93A-18.

Hearing; required showing.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2011-217, s. 12 — fourth act in the lineage	21 September 2026, 04:20 UTC	164ef5da6a427078892b9dc5 - 75708a16806d77347d12971f - c8386ccf041c9f19

Upon application by an aggrieved person, the Commission shall conduct a hearing and the aggrieved person shall be required to show that the aggrieved person:

Is not a spouse of the judgment debtor or a person representing the spouse;

Is making application not more than one year after termination of all judicial proceedings, including appeals, in connection with the judgment;

Has complied with all requirements of this Article;

Has obtained a judgment as described in G.S. 93A-17, stating the amount owing thereon at the date of application;

Has made all reasonable searches and inquiries to ascertain whether the judgment debtor is possessed of real or personal property or other assets liable to be sold or applied in satisfaction of the judgment;

After searching as described in subdivision (5) of this section, has discovered no real or personal property or other assets liable to be sold or applied, or has discovered certain of them, describing them, but the amount so realized was insufficient to satisfy the judgment, stating the amount realized and the balance remaining due on the judgment after application of the amount realized;

Has diligently pursued the aggrieved person's remedies, which include attempting execution on the judgment against all the judgment debtors, which execution has been returned unsatisfied; and

Knows of no assets of the judgment debtor and has attempted collection from all other persons who may be liable for the transaction for which the aggrieved person seeks payment from the Real Estate Education and Recovery Fund if there be any such other persons.

APPARATUS I
4 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.

1979		1995		2011
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT	CHARACTER	
01	1979	c. 614, s. 1	ENACTED	
02	1987	c. 516, s. 7	AMENDED	
03	2001	S.L. 2001-487, s. 23(d)	AMENDED	
04	2011	S.L. 2011-217, s. 12	AMENDED	

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. 93A-17	(null)(4)	"obtained a judgment as described in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 93A-18 (2011).

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

(1979, c. 614, s. 1; 1987, c. 516, s. 7; 2001-487, s. 23(d); 2011-217, s. 12.)

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