

Tenants' rights: evictions & repairs

If your rental home is destroyed or so badly damaged by a natural disaster that it is not sanitary or safe for you to live in, North Carolina law gives you the right to cancel your lease within 10 days of the date of the damage. You must give the owner or manager written notice of your intent to cancel the lease. You will be required to pay any rent currently due.

Your landlord may also end your lease if the damage is too severe for the landlord to repair. If this happens, your landlord must give you notice as required by your lease. If your lease does not state how much notice is required to end the lease, the amount of time is set by law. For example, on a month-to-month lease, the landlord must provide at least one week's notice before the end of your lease.

If you continue to live in the home, the landlord is required to make repairs to make the home safe, decent and sanitary. The landlord must do this within a reasonable time. However, the repairs are only legally required if the landlord is aware of the damage. Make sure you inform the landlord about needed repairs right away, and that you keep a record of the date and your conversation. It is best to make your repair requests in writing, which may include handwritten, email, text message, or social media message.

If you have to move out while repairs are being made, you are not required to pay rent for the time that you are not living in the home. You will typically be responsible for your living expenses, including rent elsewhere, while repairs are being made. FEMA may be able to assist you with rental costs while you are displaced.

Your landlord can evict you for failing to pay rent that is due, even if you have been affected by a disaster. If you are unable to stay in the home or unable to pay your rent, you should stay in contact with your landlord to explain your situation and try to reach an agreement.

In general, your landlord is not responsible for damage to your belongings caused by the natural disaster. If you have renter's insurance for your property, you should file a claim. You should also take pictures of all damaged property.

If you want to move due to damage to your home, or if your landlord continues to charge you rent without completing repairs, we recommend that you contact an attorney to ensure that your rights are protected. You can call the Legal Aid NC helpline to learn if you can get free assistance.