

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 810
SENATE BILL 621

AN ACT TO AMEND CHAPTER 122A OF THE GENERAL STATUTES TO PROVIDE
FOR THE FINANCING BY THE NORTH CAROLINA HOUSING FINANCE AGENCY
OF HOUSING FOR PERSONS AND FAMILIES OF MODERATE INCOME.

The General Assembly of North Carolina enacts:

Section 1. Chapter 122A of the General Statutes, as the same appears in the 1977 Cumulative Supplement to Volume 3B of the General Statutes, is hereby amended by adding a new section to be designated G.S. 122A-5.4 and to read as follows:

"§ **122A-5.4. Housing for persons and families of moderate income.** — (a) The General Assembly hereby finds and determines that there is a serious shortage of decent, safe and sanitary housing which persons and families of moderate income in the State can afford; that it is in the best interests of the State to encourage home ownership by persons and families of moderate income; that the assistance provided by this section will enable persons and families of moderate income to acquire existing decent, safe and sanitary housing without undue financial hardship and will encourage private enterprise to sponsor, build and rehabilitate additional housing for such persons and families; and that the Agency in providing such assistance is promoting the health, welfare and prosperity of all citizens of the State and is serving a public purpose for the benefit of the general public.

(b) The terms 'persons and families of lower income' and 'persons of lower income' wherever they appear in this Chapter, except where they appear in G.S. 122A-2 and G.S. 122A-3(11), shall be deemed to include 'persons and families of moderate income' as defined in clause (c) of this section.

(c) 'Persons and families of moderate income' means persons and families deemed by the Agency to require the assistance made available by this Chapter on account of insufficient personal or family income taking into consideration, without limitation, (i) the amount of the total income of such persons and families available for housing needs, (ii) the size of the family, (iii) the cost and condition of housing facilities available and (iv) the eligibility of such persons and families for federal housing assistance of any type predicated upon a moderate or low and moderate income basis."

Sec. 2. The provisions of Chapter 122A, including G.S. 122A-5.4 hereby added, are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions of said Chapter.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 7th day of June, 1979.