

Addition to the North Carolina Statute Effective July 1, 2013

Any matter relating to real estate under the jurisdiction of an association about which the member and association cannot agree, is now subject to voluntary prelitigation mediation. Initiation of mediation tolls any statute of limitations or repose with respect to the dispute until 30 days after the date on which the mediation is concluded.

There are exceptions. Disputes related solely to a member's failure to timely pay an association assessment or any fines associated with the levying or collection of an association assessment are not covered. Disputes which occurred before July 1, 2013 are not covered.

Each association shall notify the members in writing, each year, that that they may initiate mediation under NCGC 7A-38.3F to try to resolve a dispute with the association. This notice also must be published on the association's website. If the association does not have a website, the association shall publish this notice at the same time and in the same manner as the names and addresses of all officers and board members of the association are published as provided in NCGS 47C-3-101 and NCGS 47F-3-103.