

# OFFICE OF THE ORANGE COUNTY SHERIFF



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Evictions from a mobile home lot are similar to evictions from apartments and houses. A landlord must still go to court to evict people who own or are buying the mobile homes and rent a lot from a landlord. However, there are some important differences set out below.

## **Notice for persons who rent a mobile home lot:**

If a tenant does not pay lot rent, breaks (“violates”) the lease, or is involved in criminal acts, then the lease for the lot will usually say what notice — if any — a landlord must give the tenant before going to court. “Notice” means that the landlord will tell the tenant what will take place so many days before ending the lease.

If the landlord wants to cancel or terminate the lease, then the landlord must tell the tenant (“give notice”) at least sixty (60) days before the end of the current rental period, regardless of the term of the tenancy.

If a tenant lives in a mobile home park and the owner of the mobile home park plans to stop renting lots and use the property for something else, the owner must give the tenant and the North Carolina Housing Finance Agency 180 days’ notice before the tenant is required to vacate. If the owner does not give the required notice, then the tenant can object to the proceedings.

## **When the landlord obtains a court order for an eviction from a mobile home lot:**

Within ten (10) days from when the landlord gets a court order to evict the tenant from the mobile home lot, the tenant can:

1. Move the mobile home from the lot.

OR

2. Appeal the eviction order and pay rent (“bond”) to the court as required.

If the tenant either takes no action or appeals but fails to pay the full rent bond into court on time, then the landlord can enforce the eviction order to lock the tenant out of the mobile home. To do this, the landlord will go to the clerk of court for a Writ of Possession. A Writ is a court order that directs the Sheriff to make the tenant move. The clerk sends the Writ to the Sheriff.

The Sheriff will mail or deliver the Writ of Possession to the tenant a few days before coming to the mobile home to require the tenant to leave and padlock the mobile home. The Writ will state the date and time when the sheriff will come to evict the tenant from the home and padlock it so the tenant cannot return.

A tenant will have twenty-one (21) days after the padlocking to move the mobile home from the lot and take any personal property from the lot. If the tenant does not move the mobile home or other property from the lot, then the landlord gets a lien on the remaining mobile home and personal property. A lien is a right by the landlord to keep the mobile home and other property until the tenant pays what is owed to the landlord such as rent, damages, and repairs to the lot.

*Per N.C. Institute of Government & Legal Aid N.C.*