

**§ 47E-2. Exemptions.**

- (a) The following transfers are exempt from the provisions of this Chapter:
- (1) Transfers pursuant to court order, including transfers ordered by a court in administration of an estate, transfers pursuant to a writ of execution, transfers by foreclosure sale, transfers by a trustee in bankruptcy, transfers by eminent domain, and transfers resulting from a decree for specific performance.
  - (2) Transfers to a beneficiary from the grantor or his successor in interest in a deed of trust, or to a mortgagee from the mortgagor or his successor in interest in a mortgage, if the indebtedness is in default; transfers by a trustee under a deed of trust or a mortgagee under a mortgage, if the indebtedness is in default; transfers by a trustee under a deed of trust or a mortgagee under a mortgage pursuant to a foreclosure sale, or transfers by a beneficiary under a deed of trust, who has acquired the real property at a sale conducted pursuant to a foreclosure sale under a deed of trust.
  - (3) Transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust.
  - (4) Transfers from one or more co-owners solely to one or more other co-owners.
  - (5) Transfers made solely to a spouse or a person or persons in the lineal line of consanguinity of one or more transferors.
  - (6) Transfers between spouses resulting from a decree of divorce or a distribution pursuant to Chapter 50 of the General Statutes or comparable provision of another state.
  - (7) Transfers made by virtue of the record owner's failure to pay any federal, State, or local taxes.
  - (8) Transfers to or from the State or any political subdivision of the State.
- (b) The following transfers are exempt from the provisions of G.S. 47E-4 but not from the requirements of G.S. 47E-4.1:
- (1) Transfers involving the first sale of a dwelling never inhabited.
  - (2) Lease with option to purchase contracts where the lessee occupies or intends to occupy the dwelling.
  - (3) Transfers between parties when both parties agree not to complete a residential property disclosure statement or an owners' association and mandatory covenants disclosure statement. (1995, c. 476, s. 1; 2011-362, s. 3(a); 2014-120, s. 49(a).)