

Article 7.

Prohibition of Unfair Real Estate Service Agreements.

§ 93A-88.1. Purpose; definitions.

(a) This Article is intended to prohibit the use of real estate service agreements that are unfair to an owner of residential real estate or to other persons who may become owners of that real estate in the future. This Article also prohibits the recording of such residential real estate service agreements so that the public records will not be clouded by them and provides remedies for owners who are inconvenienced or damaged by the recording of such agreements.

(b) For the purposes of this Article, the following definitions apply:

- (1) Person. – A person as defined in G.S. 105-228.90(b)(23).
- (2) Real estate service agreement. – A written contract between a service provider and the owner or potential buyer of residential real estate to provide services, current or future, in connection with the maintenance, purchase, or sale of residential real estate.
- (3) Residential real estate. – Real property located in this State which is used primarily for personal, family, or household purposes.
- (4) Service provider. – A person who provides a service related to residential real estate, including a real estate broker.
- (5) Unfair real estate service agreement. – A real estate service agreement that violates G.S. 93A-88.2. (2023-117, s. 1.)