

**§ 42A-39. (Effective July 1, 2025) Human trafficking awareness reporting and training requirements.**

- (a) Definitions. – The following definitions apply in this section:
- (1) Accommodation facilitator. – As defined in G.S. 105-164.3.
  - (2) Employee. – As defined in G.S. 130A-492.
  - (3) Human trafficking awareness training. – The training developed or identified by the Department of Labor pursuant to G.S. 130A-511.
  - (4) Property manager. – A landlord, as defined in G.S. 42A-4, or real estate broker, as defined in G.S. 93A-2, that has primary responsibility for the listing, supervision, or maintenance of a vacation rental. The term property manager does not include a landlord that delegates all listing, supervisory, and maintenance responsibilities to a real estate broker.
  - (5) Third-party contractor. – A person not employed by a property manager of a vacation rental who contracts with the property manager to provide services for the vacation rental.
  - (6) Vacation rental. – As defined in G.S. 42A-4.
- (b) Human Trafficking Reporting Requirement. – Before initially listing a vacation rental, either directly or through an accommodation facilitator, the property manager shall implement a procedure for the reporting of suspected human trafficking occurring at vacation rentals to the National Human Trafficking Hotline or to a local law enforcement agency.
- (c) Human Trafficking Awareness Training. – For any vacation rental offered for lease, all of the following individuals, if applicable, shall complete human trafficking awareness training:
- (1) The property manager, or if the property manager is a partnership, corporation, sole proprietorship, or limited liability company, any employee or third-party contractor who oversees the listing, supervision, or maintenance of the vacation rental on behalf of the property manager.
  - (2) The property manager's employees who perform housekeeping services at the vacation rental or provide check-in and check-out services for the vacation rental.
  - (3) Any third-party contractor or employee of a third-party contractor who performs housekeeping services at the vacation rental or provides check-in and check-out services for the vacation rental.
- (d) Training Frequency. – Individuals required to complete training pursuant to subsection (c) of this section shall complete the training as follows:
- (1) For vacation rentals initially offered for lease on or after July 1, 2025, the property manager shall complete training prior to the vacation rental being offered for lease, and any employee of the property manager, or third-party contractor or employee shall complete training within 60 days of first providing services for the vacation rental, and every two years thereafter.
  - (2) For vacation rentals initially offered for lease prior to July 1, 2025, the property manager and all individuals employed or contracted by the property manager prior to July 1, 2025, shall complete the training required by this section no later than June 30, 2027, and every two years thereafter.
- (e) Accommodation Facilitator Requirements. – If the vacation rental is listed through an accommodation facilitator, the accommodation facilitator shall comply with all of the following requirements:
- (1) Notify the property manager of the training requirements of this section.
  - (2) For any vacation rental initially listed with the accommodation facilitator on or after July 1, 2025, prior to making the listing available, require the property

manager to certify that any training required by this section has been completed.

- (3) For any vacation rental initially listed with the accommodation facilitator prior to July 1, 2025, require the property manager to certify no later than June 30, 2027, that any training required by this section has been completed.
- (4) Report to the Department of Labor within 30 days of request on the methods used to notify property managers of the requirements of this section, and to require certification of their compliance with the requirements of this section.

(f) **Penalty.** – The Department of Labor may impose an administrative penalty against any property manager or any third-party contractor who willfully and knowingly violates the requirements of this section in the amount of five hundred dollars (\$500.00) for the first violation, one thousand dollars (\$1,000) for the second violation, and two thousand dollars (\$2,000) for the third and each subsequent violation. The clear proceeds of penalties assessed under this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(g) **Unfair Trade Practice.** – It shall constitute an unfair trade practice in violation of G.S. 75-1.1 for a property manager to intentionally make a material misstatement in an acknowledgment of human trafficking awareness training completion.

(h) **No Private Right.** – Nothing in this section shall (i) be construed as creating a private cause of action against an accommodation facilitator, or its employees, for any act or omission arising out of the requirements of this section or (ii) in any way limit or impair the rights or remedies which are otherwise available to a victim of human trafficking under any other law. (2024-26, s. 2.)