

## Latest Updates from the NCGA



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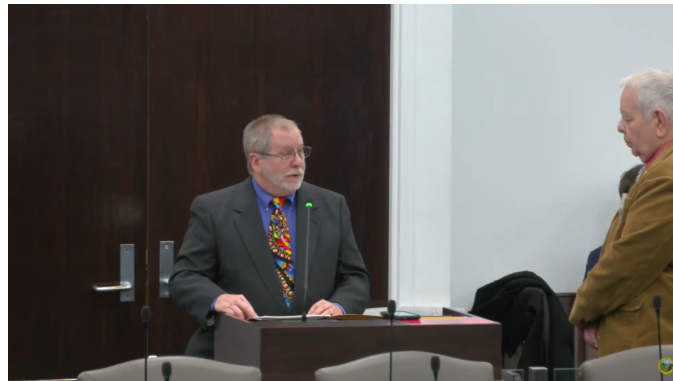


## NC Senate District 41 Newsletter

January 12, 2023

A graphic with a dark blue background. On the left is a white silhouette of Martin Luther King Jr. On the right, the text reads: "Injustice anywhere is a threat to justice everywhere." Below this is "Martin Luther King Jr Day January 15, 2024". At the bottom right is the seal of the NC Senate and the text "From the Office of Senator Natasha Marcus District 41".

## House Select Committee on Homeowners' Associations Meeting



Homeowners Associations (HOAs) in North Carolina have filed to foreclose in more than 5,500 cases since 2018 against owners of houses, condominiums, and timeshares. In over 600 cases, owners lost their property or timeshare stakes. On Thursday, the newly-formed House Select Committee on Homeowners' Associations held the first of several meetings planned to discuss the rights of homeowners who own property within planned communities regulated by HOAs, as well as to what extent HOAs may require governmental oversight. Following introductions, the meeting primarily consisted of homeowners and advocates from the HOA Law Reform Commission speaking in favor of HOA reform. Some highlights from the meeting are listed below:

- **There is a need for accessible enforcement of laws that currently pertain to Homeowners Associations.** Frequently, HOAs refuse to comply with mandates. By law, HOAs are required to make their records available to homeowners, publish minutes of meetings, give notice of meetings, allow owners to speak at meetings regularly, and give all owners the list of owners' addresses so they can communicate about association business. Many don't. The only course of action homeowners may take is the filing of prohibitively expensive lawsuits, which discourages many from taking action against misconduct. Should HOAs be required to provide information online?
- **HOAs lack transparency and accountability.** They have legal authority to take as much money from owners as they deem necessary and to place liens/foreclose on owners' homes. If a homeowner sues, the board can use all owners' HOA money to pay lawyers while the injured homeowner runs out of money. The precautions already in place do little to keep HOAs from taking advantage of homeowners.
- As a result of limited space and local mandates, the majority of new developments in North Carolina are constructed in planned communities governed by HOAs. **In conjunction, there has been a profound trend in the number of homeowners who would prefer stronger governmental authority over HOAs.**
- **The North Carolina Department of Justice supports HOA law reform.** Changes to the current laws are an important step to address disputes between homeowners and HOAs. New legislation could better explain the types of records homeowners are allowed to inspect; could require HOAs to provide records to homeowners within a specific time frame and require those records to be affordable and accessible; could require a minimum dollar threshold before a lien may be placed or a foreclosure filed; and could state that property owners deserve all possible means of notice before foreclosure. In addition to these changes, a means of enforcement that is accessible to homeowners would be necessary.

There was limited discussion from state representatives assigned to the committee, but the question of a correlation between increased dissatisfaction in HOAs and the struggle to pay dues throughout the COVID-19 pandemic was raised. Read more [here](#).

## NC General Assembly Is Out of Session



The NCGA ended our long session in October, following passage of the budget and the completion of redistricting. As a result, there have been no committee meetings or votes over the last two weeks. I'll keep you posted about any special sessions that may arise. The 2024 short session is expected to begin in April.

## The Dangers of Coal Ash As Structural Fill



Coal ash is frequently used as a cheap way to undergird parking lots, buildings, and runways, and as reinforcement or enhancement in other structural projects. It also contains contaminants such as arsenic and radiation, which are toxic when left exposed or when the ash reaches groundwater. **At least 8.85 million tons of coal ash have been used as fill at 72 locations in North Carolina, but those amounts are likely much higher as the result of a lack of documentation prior to 1994.** According to a new report from the Environmental Protection Agency, coal ash could increase a person’s cancer risk significantly more than previously estimated. Even if ash composes only 1% to 2% of the soil mixture, the risk of cancer increases. As little as 8% of the soil mixture results in cancer risks that are high enough to trigger EPA regulations. During the 2021 - 2022 Session, I filed [SB572, Coal Ash/Structural Fill Modifications](#), to bring North Carolina's coal ash management requirements into compliance with EPA standards due to the dangers coal ash presents. You can read more about the issue [here](#).

### North Carolina Schools Lacking Critical Mental Health Resources



**The North Carolina Department of Instruction reported that North Carolina schools do not meet nationally recommended ratios for school counselors, nurses, psychologists, or social workers.** The 2023 School Mental Health Policy Report is based on responses from all 115 Local Education Agencies, 203 of the 211 charter schools, and 9 of the 10 lab/regional schools in North Carolina. According to the report:

- There’s one school nurse for every 833 students instead of one nurse for every school.
- There’s one school psychologist for every 1,979 students instead of for every 500 students.
- There’s one school counselor for every 361 students instead of for every 250 students.
- There’s one school social worker for every 1,033 students instead of for every 250 students.

Mental and behavioral health crises have been worse for youth throughout the last four years, likely as a result of the COVID-19 pandemic. This makes these positions critical to the health and safety of North Carolina students and families. You can read more about the report [here](#) and [here](#), and view the report [here](#).

### Senator Marcus in the Community





This week, I attended an event hosted by the Charlotte Observer and the Charlotte Mecklenburg Public Library, highlighting the newspaper's best photos of the year and hearing from the photojournalists who took them. **One of the top photos was this portrait of Mattie Marshall, who lives in Senate District 41 and has worked tirelessly for the betterment of the West Charlotte community.** I appreciate the work of Mattie, the journalists, and the Imagination Library, which was a wonderful venue. Read more about Mattie Marshall's work and see the photograph here [here](#).



On Thursday, Vice President Kamala Harris visited Charlotte's Eastway Middle School to participate in a gun violence prevention roundtable and I was invited to attend. This picture was taken with a few of the many Moms Demand Action volunteers, in line waiting to take an official photo with Vice President Harris.

### Constituent Services: Help for Incarcerated Individuals



Over the last two weeks, I have advocated on behalf of constituents whose family members are incarcerated. These family members are concerned about their loved ones' health and quality of life. As a member of the North Carolina General Assembly, I am able to encourage the North Carolina Department of Adult Correction to look into their cases and share medical and other information with the family and determine whether they are getting the care and attention they need.

### Improvements to the Interchange for I-485 to I-85 South Public Meeting



The North Carolina Department of Transportation (NCDOT) recently received \$45 million in funding for a project designed to improve the interchange for I-485 to I-85 South in the western part of Mecklenburg County. The purpose of the project will be to alleviate the congestion where the two ramps converge prior to merging onto I-85 South. One Legislator said, "This interchange is the most problematic of any interstate-to-interstate interchange in the State of North Carolina." The agency hopes to begin construction by summer/fall of 2025.

NCDOT plans to host a public meeting to present information relating to the project on Thursday, February 8, from 4:00 to 7:00 PM. The meeting will be held at Mt. Caramel Baptist Church (7237 Tuckaseegee Road, Charlotte, NC 28214). If you're interested in learning more about the plan, I encourage your attendance. You can read more about the project [here](#).

### Recycling in Senate District 41

## Curbside Recycling Reminders for District 41 Residents

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**DO:** Recycle plastic containers with necks, cartons and juice boxes, empty aerosol cans, aluminum cans, cereal boxes, flattened cardboard boxes, clean pizza boxes, glass bottles and jars, tin/steel cans, brown bags/high grade paper, junk mail, magazines, and newspapers. These are all the recyclable materials Mecklenburg County accepts in their curbside collection.

**DO:** Rinse materials containing food waste, such as plastic containers, tin cans, and cartons, before placing them in your bin.

✗

**DO NOT:** Place materials other than those listed in your curbside collection bin. Items that are not accepted by Mecklenburg for curbside collection include plastic bags, plastic wrap, plastic/foam clamshells, hardback books, shredded paper, paper plates, and ceramics. Some of these may be recycled at Mecklenburg's Full Service Centers but are not accepted in curbside collection.

**DO NOT PUT YOUR RECYCLABLES IN BAGS!!!** Instead, leave recyclables loose in the bin. Plastic bags should never go in your recycle bin.

All Mecklenburg County residents must recycle using the same standards. Check Mecklenburg's Wipe Out Waste website for up-to-date information.

Mecklenburg County residents all follow the same guidelines on what can and cannot be recycled at their homes. While the county does not collect your materials, it does process them at its materials recovery facility. Please remember to recycle right and only recycle curbside the items that they can process. Unacceptable items contaminate the recyclables making whole loads unacceptable to the county's end users. A complete list of all acceptable and unacceptable materials can be found [here](#).

Information specific to recyclable pickups, such as pickup schedules in Davidson, Cornelius, and Huntersville, can be found [here](#), [here](#), and [here](#). Some materials that are unacceptable for curbside pickup can be taken to retailers, or any of the four Mecklenburg County Full Service Recycling Centers where they are recycled through separate systems. Find the Mecklenburg County Full Service Recycling Center located closest to you [here](#).



## Low Income Energy Assistance Program



The Low Income Energy Assistance Program (LIEAP) is a federally-funded program that provides a one-time vendor payment to help eligible households pay their heating bills. Households may apply from January 1 through March 31 or until funds are exhausted. More information can be found [here](#) and [here](#).

## Duke Energy Launches New Customer Assistance Program



The North Carolina Utilities Commission has ordered Duke Energy to establish a Customer Assistance Program that will reduce bills for low-income customers through a \$42 monthly credit for 12 months. Customers who are currently enrolled in the Low-Income Energy Assistance Program or the Crisis Intervention Program will be automatically enrolled in the new program once it launches later this month. More information on this program, as well as new options for all customers, can be found [here](#) and [here](#).

## Habitat Charlotte Region Critical Home Repair Application Period Open Jan 22-25



**The application cycle for the Critical Home Repair Program conducted by Habitat Charlotte Region will be accepted for Charlotte and Pineville starting Monday, January 22, and ending Thursday, January 25, 2024.** The application cycle will open at 8:00 AM Monday and will close at 5:00 PM Thursday. Between now and the application cycle, applicants may add their name, property, and email address to this [notification list](#). Those on this list will be sent a direct link to the online application on the first day of the cycle.

**In-person and phone applications will also be available for those who do not have access to technology or transportation.** Between now and the application cycle, potential applicants may call the Habitat hotline (**704-716-5639**). Habitat staff will be able to assist with setting up an application appointment the week of the application cycle.

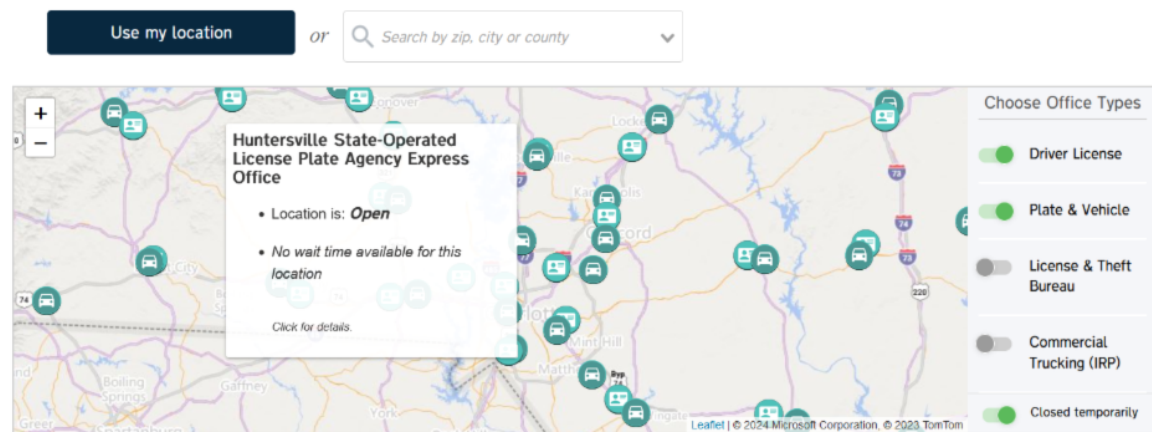
More information regarding eligibility for the program, the types of repairs available, and the application process can be found [here](#).

## Open Enrollment for 2024 Marketplace Health Plans Ends January 16



North Carolinians who need health coverage should enroll or update their coverage before Tuesday, January 16, 2024, the last day of the Open Enrollment period for the [Health Insurance Marketplace](#). Coverage will start February 1. The North Carolina Navigator Consortium is offering appointments for free help navigating the Health Insurance Marketplace or for applying for [Medicaid](#). These appointments may be scheduled in person, virtually, and over the phone and are available to anyone in North Carolina who needs affordable coverage. Appointments may be scheduled [online](#) or by calling **855-733-3711**.

### DMV Appointments and Walk-In Options



**The DMV now offers walk-in options!** The Official North Carolina DMV Website has a map of walk-in wait times available [here](#). **Appointments will now be available only in the morning**, so the tool is most useful in the afternoon when driver license offices serve exclusively walk-ins. The wait time is defined as the current average length of time from check-in until the customer is called to the workstation for service. **The DMV no longer offers road tests after 4:00 PM.** If you'd prefer to schedule an appointment, you may do so online [here](#). For additional questions or concerns, send a message or call the NCDMV Call Center at **919-715-7000** from 8:00 AM until 5:00 PM on weekdays. Those seeking a Commercial Driver's License road test or services requiring a language or ASL interpreter must call 919-715-7000 to schedule the appointment.

### COVID Updates and Information



Every home in the U.S. is eligible to order an additional four free at-home tests. If you did not order tests last Fall, you may place two orders for a total of eight tests. Your order of COVID tests is completely free, including shipping. Order your free at-home tests [here](#), or call 1-800-232-0233 for help.

### Financial Update on the State's General Fund



<b>Beginning Cash, Friday, December 22</b>	<b>14,666,626,274.07</b>
<b>Add Receipts:</b>	
Tax and Non-Tax Receipts	1,994,917.40
Coronavirus Relief Receipts	0.00
Other Receipts	202,915,966.07
<b>Less Disbursements:</b>	
Payroll	100,928.41
State Aid	10,109,520.86
Medicaid/Other Provider Payments	66,692,651.22
Tax Refunds/Distributions	0.00
Debt Service	0.00
Coronavirus Relief Transfers Out	0.00
General Operating	1,064,032,824.94
<b>Ending Cash, Friday, December 29</b>	<b>13,730,601,232.11</b>
<b>Less Reserved Cash:</b>	
Due to Local Governments – Sales and Use Tax	855,414,522.66
Other Reserves	24,942,162.31
American Recovery Plan Act Reserve	133,837,075.59
Carry Forward Reserve	256,429,799.32
Clean Water Drinking Water Reserve	100,000,000.00
Coronavirus Capital Projects Reserve	0.00
Coronavirus Relief Reserve	0.00
Earthquake Disaster Recovery Reserve	0.00
Economic Development Project Reserve	266,200,000.00
Federal Infrastructure Match Reserve	145,328,642.00
Housing Reserve	45,000,000.00
Hurricane Florence Disaster Recovery Reserve	58,398,040.60
Information Technology Reserve	257,596,827.00
Local Fiscal Recovery Reserve-ARPA	0.00
Local Govt Coronavirus Relief Reserve	0.00
Local Project Reserve	0.00
Medicaid Contingency Reserve	326,512,736.00
Medicaid Transformation Reserve	160,642,170.00
NC GREAT Reserve	0.00
NC Innovation Reserve	0.00
Opioid Abatement Reserve	9,257,779.43
Public School Contingency Reserve	0.00
Public School Need Based Capital Reserve	0.00
Reg Economic Dev Reserve	0.00
Repairs and Renovations Reserve	0.00
Retiree Supplement Reserve	145,600,000.00
SCIF General Fund Reserve	0.00
Savings Reserve	4,750,001,113.98
Stabilization and Inflation Reserve	1,000,000,000.00
State Emergency Response/Disaster Reserve	947,193,044.47
Transportation Reserve	0.00
Unfunded Liability Solvency Reserve	10,000,000.00
Wilmington Harbor Enhancements Reserve	283,800,000.00
World University Games Reserve	0.00
<b>Unreserved Cash Balance, Friday, December 29</b>	<b>3,954,447,318.75</b>

The Office of the State Controller (OSC) released the General Fund Cash Watch numbers for the week ending Friday, December 29. OSC provides a weekly update on the State’s General Fund cash position which can be found at [osc.nc.gov](https://osc.nc.gov). **The current unreserved cash balance in state coffers is \$3.954 billion.**

The State Controller is North Carolina’s chief fiscal officer and serves as an independent resource to ensure the financial integrity of the State.

### Links to Helpful Information

**Domestic Violence Hotline:** If you or someone you know is experiencing domestic violence or partner abuse, please call [Safe Alliance](#) at **704-332-2513** and they can help you.

**Mecklenburg's County Bar [website](#)** provides a list of pro bono resources for those unable to afford legal counsel.

**Mecklenburg's Department of Community Resources** provides individuals and families with [immediate access](#) to a diverse range of Mecklenburg County Health and Human Services programs and community partner services in Community Resources Centers throughout the County.

**Mecklenburg's Energy Assistance Programs: Do you need help paying your heating or cooling bills?** Mecklenburg offers [two different programs](#) to help eligible low-income households with their energy needs.

**Property Tax values and histories in Mecklenburg County** can be searched on [this site](#) that includes links to Polaris and information about past assessments. You can find more detailed information on real estate values on the [Mecklenburg](#) site.

**Suicide Prevention:** If you have thoughts of harming yourself, **please call or text 988**, the Suicide Prevention Hotline for help.

**Unclaimed Cash!** Visit [NCCash.com](#) today to see if you have unclaimed property under the supervision of the NC Treasurer's office. More info [here](#).

**Voter Information:** You can find your current information on the [NC Voter Lookup page](#).

## Free Property Tax Assistance Services



Do you need help with your property taxes? The [Charlotte Center for Legal Advocacy](#) is providing free assistance to help homeowners prepare their NC property tax relief applications. Call **980-256-7952** or visit their website to learn more [here](#).

## Contact Our Office

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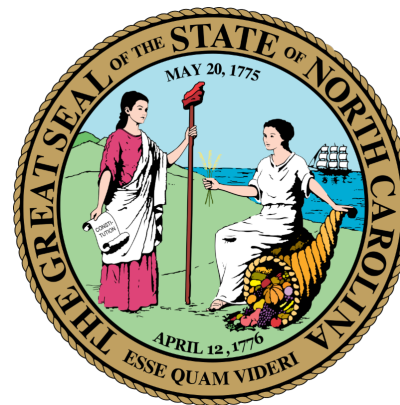
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How can we help you? Let us know and [reach out](#) to our office! We want to hear from you.

Senator Natasha Marcus | [Website](#)



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