

South Carolina

Landlord-Tenant Compliance Guide

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■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in South Carolina. It is not legal advice and should not be relied upon as a substitute for consultation with a qualified attorney. Laws change frequently; always verify current requirements with official state sources or legal counsel. enCompliance.com provides this information as-is and makes no warranties regarding accuracy or completeness.

■ Severity Indicators:

- **Critical** - Must comply (legal requirement)
- **Important** - Should follow (best practice)
- **Standard** - Good to know (general info)

■ This guide covers 103 compliance requirements across 14 categories

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1. CORE LEASE REQUIREMENTS

- 1. Lease Formation & Disclosures (S.C. Code § 27-40-420)
■ *Legal Reference:* [S.C. Code § 27-40-420](#) (click to view statute)
- 2. Written Lease Requirements (S.C. Code § 27-40-310)
■ *Legal Reference:* [S.C. Code § 27-40-310](#) (click to view statute)
- 3. Lease Language Requirements (S.C. Code § 27-40-330)
■ *Legal Reference:* [S.C. Code § 27-40-330](#) (click to view statute)
- 4. Lease Addendums (Various S.C. Code § 27-40 sections)
■ *Legal Reference:* [Various S.C. Code § 27-40 sections](#) (click to view statute)
- 5. Lease Renewal (S.C. Code § 27-40-310)
■ *Legal Reference:* [S.C. Code § 27-40-310](#) (click to view statute)
- 6. Lease Termination (S.C. Code § 27-40-770)
■ *Legal Reference:* [S.C. Code § 27-40-770](#) (click to view statute)
- 7. Early Termination (S.C. Code § 27-40-650, federal SCRA)
■ *Legal Reference:* [S.C. Code § 27-40-650, federal SCRA](#) (click to view statute)

2. ENTRY & ACCESS

- 1. Landlord Right of Entry (S.C. Code § 27-40-530(a))
■ *Legal Reference:* [S.C. Code § 27-40-530\(a\)](#) (click to view statute)
- 2. Notice Requirements for Entry (S.C. Code § 27-40-530(c))
■ *Legal Reference:* [S.C. Code § 27-40-530\(c\)](#) (click to view statute)
- 3. Emergency Entry (S.C. Code § 27-40-530(b)(1))
■ *Legal Reference:* [S.C. Code § 27-40-530\(b\)\(1\)](#) (click to view statute)
- 4. Entry for Regularly Scheduled Services (S.C. Code § 27-40-530(b)(2))
■ *Legal Reference:* [S.C. Code § 27-40-530\(b\)\(2\)](#) (click to view statute)
- 5. Entry for Tenant-Requested Services (S.C. Code § 27-40-530(b)(3))
■ *Legal Reference:* [S.C. Code § 27-40-530\(b\)\(3\)](#) (click to view statute)

● **6. Unauthorized Entry (S.C. Code § 27-40-530(d))**

■ *Legal Reference: [S.C. Code § 27-40-530\(d\)](#) (click to view statute)*

● **7. Lock Changes (S.C. Code § 27-40-530(e))**

■ *Legal Reference: [S.C. Code § 27-40-530\(e\)](#) (click to view statute)*

3. EVICTION PROCEDURES

● **1. Grounds for Eviction (S.C. Code § 27-40-710, § 27-37-10)**

■ *Legal Reference: [S.C. Code § 27-40-710, § 27-37-10](#) (click to view statute)*

● **2. 5-Day Notice to Pay or Quit (S.C. Code § 27-40-710(B), § 27-37-10(B))**

■ *Legal Reference: [S.C. Code § 27-40-710\(B\), § 27-37-10\(B\)](#) (click to view statute)*

● **3. 14-Day Notice to Cure (S.C. Code § 27-40-710(A))**

■ *Legal Reference: [S.C. Code § 27-40-710\(A\)](#) (click to view statute)*

● **4. Unconditional Notice to Quit (S.C. Code § 27-40-710(B), § 27-40-540)**

■ *Legal Reference: [S.C. Code § 27-40-710\(B\), § 27-40-540](#) (click to view statute)*

● **5. Eviction Process (S.C. Code Title 27, Chapter 37 (Ejectment))**

■ *Legal Reference: [S.C. Code Title 27, Chapter 37 \(Ejectment\)](#) (click to view statute)*

● **6. Service of Eviction Notice (S.C. Code § 27-37-30)**

■ *Legal Reference: [S.C. Code § 27-37-30](#) (click to view statute)*

● **7. Self-Help Eviction Prohibited (S.C. Code § 27-40-660, § 27-40-760)**

■ *Legal Reference: [S.C. Code § 27-40-660, § 27-40-760](#) (click to view statute)*

● **8. Abandoned Property (S.C. Code § 27-40-710(D))**

■ *Legal Reference: [S.C. Code § 27-40-710\(D\)](#) (click to view statute)*

● **9. Attorney Fees in Eviction (S.C. Code § 27-40-710(C), § 27-40-750, § 27-40-770(c))**

■ *Legal Reference: [S.C. Code § 27-40-710\(C\), § 27-40-750, § 27-40-770\(c\)](#) (click to view statute)*

4. FAIR HOUSING & DISCRIMINATION

● **1. Federal Fair Housing Act (Federal law - 42 USC § 3604)**

■ *Legal Reference:* [Federal law - 42 USC § 3604](#) (click to view statute)

● **2. Reasonable Accommodations (Federal Fair Housing Act)**

■ *Legal Reference:* [Federal Fair Housing Act](#) (click to view statute)

● **3. Familial Status Discrimination (Federal Fair Housing Act)**

■ *Legal Reference:* [Federal Fair Housing Act](#) (click to view statute)

● **4. Sexual Harassment (Federal Fair Housing Act)**

■ *Legal Reference:* [Federal Fair Housing Act](#) (click to view statute)

5. FINANCIAL TERMS

● **1. Rent Amount & Payment (S.C. Code § 27-40-310(c))**

■ *Legal Reference:* [S.C. Code § 27-40-310\(c\)](#) (click to view statute)

● **2. Rent Increases (No specific statute; S.C. Code § 65.801 et seq. (Rent Control Act - effective 2026))**

■ *Legal Reference:* [No specific statute; S.C. Code § 65.801 et seq. \(Rent Control Act - effective 2026\)](#) (click to view statute)

● **3. Late Fees (No specific statute; S.C. Code § 27-40-710(B))**

■ *Legal Reference:* [No specific statute; S.C. Code § 27-40-710\(B\)](#) (click to view statute)

● **4. NSF/Bounced Check Fees (S.C. Code § 34-11-70)**

■ *Legal Reference:* [S.C. Code § 34-11-70](#) (click to view statute)

● **5. Application Fees (No specific statute)**

■ *Legal Reference:* [No specific statute](#)

● **6. Move-In Fees (No specific statute)**

■ *Legal Reference:* [No specific statute](#)

● **7. Pet Fees & Deposits (No specific statute; federal Fair Housing Act)**

■ *Legal Reference:* [No specific statute; federal Fair Housing Act](#) (click to view statute)

● **8. Utilities (S.C. Code § 27-40-440(a)(4), § 27-40-760)**

■ *Legal Reference:* [S.C. Code § 27-40-440\(a\)\(4\), § 27-40-760](#) (click to view statute)

6. HABITABILITY & REPAIRS

- 1. Implied Warranty of Habitability (S.C. Code § 27-40-440)
■ *Legal Reference:* [S.C. Code § 27-40-440](#) (click to view statute)
- 2. Essential Services (S.C. Code § 27-40-210(17))
■ *Legal Reference:* [S.C. Code § 27-40-210\(17\)](#) (click to view statute)
- 3. Repair Requests & Timeline (S.C. Code § 27-40-610, § 27-40-630)
■ *Legal Reference:* [S.C. Code § 27-40-610, § 27-40-630](#) (click to view statute)
- 4. Tenant's Remedies for Landlord Non-Compliance (S.C. Code § 27-40-630)
■ *Legal Reference:* [S.C. Code § 27-40-630](#) (click to view statute)
- 5. Landlord's Right to Enter for Repairs (S.C. Code § 27-40-530(a))
■ *Legal Reference:* [S.C. Code § 27-40-530\(a\)](#) (click to view statute)
- 6. Tenant Maintenance Obligations (S.C. Code § 27-40-510)
■ *Legal Reference:* [S.C. Code § 27-40-510](#) (click to view statute)
- 7. Smoke Detectors (S.C. Code § 5-25-1330)
■ *Legal Reference:* [S.C. Code § 5-25-1330](#) (click to view statute)
- 8. Mold (No specific statute)
■ *Legal Reference:* *No specific statute*
- 9. Lead-Based Paint (Federal requirement (42 USC § 4852d))
■ *Legal Reference:* [Federal requirement \(42 USC § 4852d\)](#) (click to view statute)

7. LEASE PROVISIONS & SPECIAL CLAUSES

- 1. Automatic Renewal Clauses (No specific statute)
■ *Legal Reference:* *No specific statute*
- 2. Liquidated Damages (S.C. Code § 27-40-330(c))
■ *Legal Reference:* [S.C. Code § 27-40-330\(c\)](#) (click to view statute)
- 3. Attorney Fees Provisions (S.C. Code § 27-40-330(b))
■ *Legal Reference:* [S.C. Code § 27-40-330\(b\)](#) (click to view statute)

● 4. Jury Trial Waiver (No specific statute)

■ *Legal Reference: No specific statute*

● 5. Holding Over (S.C. Code § 27-40-310)

■ *Legal Reference: [S.C. Code § 27-40-310](#) (click to view statute)*

● 6. Lease Modification (No specific statute)

■ *Legal Reference: No specific statute*

● 7. Severability (S.C. Code § 27-40-930)

■ *Legal Reference: [S.C. Code § 27-40-930](#) (click to view statute)*

8. LOCAL ORDINANCES

● 1. City-Specific Requirements (Various local ordinances)

■ *Legal Reference: [Various local ordinances](#) (click to view statute)*

● 2. Rental Registration (No statewide requirement; some local jurisdictions)

■ *Legal Reference: No statewide requirement; some local jurisdictions*

● 3. HOA Rules (S.C. Code § 27-30 (Horizontal Property Act))

■ *Legal Reference: [S.C. Code § 27-30 \(Horizontal Property Act\)](#) (click to view statute)*

● 4. Condo Association Rules (S.C. Code § 27-31 (Horizontal Property Act))

■ *Legal Reference: [S.C. Code § 27-31 \(Horizontal Property Act\)](#) (click to view statute)*

● 5. Zoning Compliance (Local zoning ordinances)

■ *Legal Reference: [Local zoning ordinances](#) (click to view statute)*

9. MULTI-FAMILY & SPECIAL HOUSING

● 1. Common Areas (S.C. Code § 27-40-440(a)(3))

■ *Legal Reference: [S.C. Code § 27-40-440\(a\)\(3\)](#) (click to view statute)*

● 2. Rules and Regulations (S.C. Code § 27-40-520)

■ *Legal Reference: [S.C. Code § 27-40-520](#) (click to view statute)*

● 3. Parking (No specific statute)

■ *Legal Reference: No specific statute*

● **4. Amenities (No specific statute)**

■ *Legal Reference: No specific statute*

● **5. Noise & Nuisance (S.C. Code § 27-40-510)**

■ *Legal Reference: [S.C. Code § 27-40-510](#) (click to view statute)*

● **6. Bed Bugs (No specific statute)**

■ *Legal Reference: No specific statute*

● **7. Pest Control (S.C. Code § 27-40-440)**

■ *Legal Reference: [S.C. Code § 27-40-440](#) (click to view statute)*

● **8. Trash & Garbage (S.C. Code § 27-40-510)**

■ *Legal Reference: [S.C. Code § 27-40-510](#) (click to view statute)*

● **9. Pool & Recreational Facilities (No specific landlord-tenant statute; health codes may apply)**

■ *Legal Reference: [No specific landlord-tenant statute; health codes may apply](#) (click to view statute)*

● **10. Laundry Facilities (No specific statute)**

■ *Legal Reference: No specific statute*

● **11. Student Housing (No specific statute)**

■ *Legal Reference: No specific statute*

● **12. Senior Housing (Federal Fair Housing Act (55+ housing exemption))**

■ *Legal Reference: [Federal Fair Housing Act \(55+ housing exemption\)](#) (click to view statute)*

● **13. Subsidized Housing (Federal HUD regulations)**

■ *Legal Reference: [Federal HUD regulations](#) (click to view statute)*

● **14. Short-Term Rentals (No specific state statute; local ordinances apply)**

■ *Legal Reference: [No specific state statute; local ordinances apply](#) (click to view statute)*

● **15. Mobile Homes (S.C. Code § 27-40-120(3) - excluded from Act)**

■ *Legal Reference: [S.C. Code § 27-40-120\(3\) - excluded from Act](#) (click to view statute)*

● **16. Commercial Property (S.C. Code § 27-40-120 - excluded from Act)**

■ *Legal Reference: [S.C. Code § 27-40-120 - excluded from Act](#)*

10. PROPERTY MANAGEMENT & LICENSING

- 1. Property Manager License (S.C. Code § 40-57-20 et seq.)
■ *Legal Reference:* [S.C. Code § 40-57-20 et seq.](#) (click to view statute)
- 2. Real Estate Commission Oversight (S.C. Code § 40-57 (Real Estate License Law))
■ *Legal Reference:* [S.C. Code § 40-57 \(Real Estate License Law\)](#) (click to view statute)
- 3. Trust Account Requirements (S.C. Code § 40-57-145)
■ *Legal Reference:* [S.C. Code § 40-57-145](#) (click to view statute)
- 4. Record Retention (S.C. Code § 40-57-145)
■ *Legal Reference:* [S.C. Code § 40-57-145](#) (click to view statute)

11. REPORTING & DOCUMENTATION

- 1. Rent Payment Records (Best business practice)
■ *Legal Reference:* [Best business practice](#)
- 2. Maintenance Logs (Best business practice; S.C. Code § 27-40-440)
■ *Legal Reference:* [Best business practice; S.C. Code § 27-40-440](#)
- 3. Inspection Reports (S.C. Code § 27-40-410 (recommended for deposits))
■ *Legal Reference:* [S.C. Code § 27-40-410 \(recommended for deposits\)](#)
- 4. Communication Records (Best business practice)
■ *Legal Reference:* [Best business practice](#)
- 5. Lead Registry (Federal requirement (42 USC § 4852d))
■ *Legal Reference:* [Federal requirement \(42 USC § 4852d\)](#) (click to view statute)

12. SECURITY DEPOSITS

- 1. Security Deposit Limits (S.C. Code § 27-40-410)
■ *Legal Reference:* [S.C. Code § 27-40-410](#) (click to view statute)
- 2. Security Deposit Storage (No specific statute)
■ *Legal Reference:* [No specific statute](#)

● **3. Security Deposit Return (S.C. Code § 27-40-410(a))**

■ *Legal Reference: [S.C. Code § 27-40-410\(a\)](#) (click to view statute)*

● **4. Allowable Deductions (S.C. Code § 27-40-410(a))**

■ *Legal Reference: [S.C. Code § 27-40-410\(a\)](#) (click to view statute)*

● **5. Itemization Requirements (S.C. Code § 27-40-410(a))**

■ *Legal Reference: [S.C. Code § 27-40-410\(a\)](#) (click to view statute)*

● **6. Penalties for Wrongful Withholding (S.C. Code § 27-40-410(b))**

■ *Legal Reference: [S.C. Code § 27-40-410\(b\)](#) (click to view statute)*

● **7. Interest on Deposits (No statute)**

■ *Legal Reference: No statute*

13. SPECIAL SITUATIONS

● **1. Fire or Casualty Damage (S.C. Code § 27-40-650)**

■ *Legal Reference: [S.C. Code § 27-40-650](#) (click to view statute)*

● **2. Condemnation (No specific statute)**

■ *Legal Reference: No specific statute*

● **3. Sale of Property (S.C. Code § 27-40-450)**

■ *Legal Reference: [S.C. Code § 27-40-450](#) (click to view statute)*

● **4. Death of Tenant (No specific statute)**

■ *Legal Reference: No specific statute*

● **5. Death of Landlord (S.C. Code § 27-40-310)**

■ *Legal Reference: [S.C. Code § 27-40-310](#)*

● **6. Landlord's Lien (S.C. Code § 29-13-10 (repealed))**

■ *Legal Reference: [S.C. Code § 29-13-10 \(repealed\)](#) (click to view statute)*

● **7. Subleasing (No specific statute)**

■ *Legal Reference: No specific statute*

● **8. Roommates (No specific statute)**

■ *Legal Reference: No specific statute*

● **9. Guests & Occupancy** (S.C. Code § 27-40-540)

■ *Legal Reference: [S.C. Code § 27-40-540](#) (click to view statute)*

● **10. Occupancy Limits** (Local codes; federal Fair Housing standards)

■ *Legal Reference: [Local codes; federal Fair Housing standards](#) (click to view statute)*

14. TENANT PROTECTIONS

● **1. Retaliation Prohibited** (S.C. Code § 27-40-910)

■ *Legal Reference: [S.C. Code § 27-40-910](#) (click to view statute)*

● **2. Retaliation Penalties** (S.C. Code § 27-40-910)

■ *Legal Reference: [S.C. Code § 27-40-910](#) (click to view statute)*

● **3. Domestic Violence Protection** (No specific South Carolina statute; federal VAWA applies)

■ *Legal Reference: [No specific South Carolina statute; federal VAWA applies](#) (click to view statute)*

● **4. Military Service Protection** (Federal SCRA (Servicemembers Civil Relief Act))

■ *Legal Reference: [Federal SCRA \(Servicemembers Civil Relief Act\)](#) (click to view statute)*

● **5. Privacy Rights** (S.C. Code § 27-40-530)

■ *Legal Reference: [S.C. Code § 27-40-530](#) (click to view statute)*

Severity Indicators:

- Critical requirement (must comply)
- Important guideline (should follow)
- Standard information (good to know)

■■ LOCAL ORDINANCES & MUNICIPAL REQUIREMENTS

Note: The following requirements are specific to certain municipalities or counties within the state and may differ from or supplement statewide regulations. Always verify local requirements with your city or county government.

● **1. City-Specific Requirements** (Various local ordinances)

■ *Legal Reference: [Various local ordinances](#)*

● **2. Rental Registration** (No statewide requirement; some local jurisdictions)

■ *Legal Reference:* [No statewide requirement; some local jurisdictions](#)

● **3. HOA Rules** (S.C. Code § 27-30 (Horizontal Property Act))

■ *Legal Reference:* [S.C. Code § 27-30 \(Horizontal Property Act\)](#)

● **4. Condo Association Rules** (S.C. Code § 27-31 (Horizontal Property Act))

■ *Legal Reference:* [S.C. Code § 27-31 \(Horizontal Property Act\)](#)

● **5. Zoning Compliance** (Local zoning ordinances)

■ *Legal Reference:* [Local zoning ordinances](#)

For the most current information, always consult official state sources.

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■ Questions or need legal review? Contact: **support@enCompliance.com**

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