DISCLAIMER

The South Carolina Legislative Council is offering access to the unannotated South Carolina Code of Laws on the Internet as a service to the public. The unannotated South Carolina Code on the General Assembly's website is now current through the 2014 session. The unannotated South Carolina Code, consisting only of Code text, numbering, and history may be copied from this website at the reader's expense and effort without need for permission.

The Legislative Council is unable to assist users of this service with legal questions. Also, legislative staff cannot respond to requests for legal advice or the application of the law to specific facts. Therefore, to understand and protect your legal rights, you should consult your own private lawyer regarding all legal questions.

While every effort was made to ensure the accuracy and completeness of the unannotated South Carolina Code available on the South Carolina General Assembly's website, the unannotated South Carolina Code is not official, and the state agencies preparing this website and the General Assembly are not responsible for any errors or omissions which may occur in these files. Only the current published volumes of the South Carolina Code of Laws Annotated and any pertinent acts and joint resolutions contain the official version.

Please note that the Legislative Council is not able to respond to individual inquiries regarding research or the features, format, or use of this website. However, you may notify the Legislative Services Agency at LSA@scstatehouse.gov regarding any apparent errors or omissions in content of Code sections on this website, in which case LSA will relay the information to appropriate staff members of the South Carolina Legislative Council for investigation.

CHAPTER 33

Landlord and Tenant Generally

**SECTION 27‑33‑10.** Definitions.

 (1) Domestic servant. ‑ A person using or occupying real estate while serving another as a domestic servant shall be deemed a “domestic servant”;

 (2) Farm laborer. ‑ A person using or occupying real estate while working either as a sharecropper or otherwise as a farm laborer shall be deemed a “farm laborer”;

 (3) Tenant at will. ‑ Every person other than the owner of real estate, excepting a domestic servant and farm laborer, using or occupying real estate without an agreement, either oral or in writing, shall be deemed a “tenant at will”;

 (4) Tenant for a term. ‑ A person other than the owner using or occupying real estate under a written or oral agreement shall be deemed a “tenant for a term”;

 (5) Tenant for years. ‑ A person other than the owner using or occupying real estate under a written agreement for a term of one year or more shall be deemed a “tenant for years”;

 (6) Agricultural renter. ‑ A person renting lands for agricultural purposes shall be deemed an “agricultural renter”;

 (7) Landlord. ‑ “Landlord” shall be construed to include the owner or person in possession or entitled to possession of the real estate used or occupied by the tenant as well as the employer of farm laborers and domestic servants; and

 (8) Tenant. ‑ “Tenant” shall be construed to mean tenant at will, tenant for a term, tenant for years, domestic servant, farm laborer, sharecropper and agricultural renter.

HISTORY: 1962 Code Section 41‑1; 1952 Code Section 41‑1; 1946 (44) 2584.

**SECTION 27‑33‑20.** Applicability of certain statutory provisions relating to landlord and tenant.

 The provisions of Chapters 33 to 37, Section 27‑39‑10 and Article 3 of Chapter 39 of this Title, other than Sections 27‑35‑80, 27‑35‑170, 27‑35‑180, 27‑39‑280 and 27‑39‑300, shall not apply to (a) lessees of timber, (b) the user or beneficiary of any easement or (c) the use or occupancy of any land by any person engaged in rendering public utility service for the construction and maintenance of electric power, telephone, telegraph, water or gas lines.

HISTORY: 1962 Code Section 41‑2; 1952 Code Section 41‑2; 1946 (44) 2584.

**SECTION 27‑33‑30.** Recordation of leases.

 In order to give notice to third persons any lease or agreement for the use or occupancy of real estate shall be recorded in the same manner as a deed of real estate.

HISTORY: 1962 Code Section 41‑4; 1952 Code Section 41‑4; 1946 (44) 2584.

**SECTION 27‑33‑40.** Concurrent jurisdiction of judges and magistrates.

 The judges of the circuit courts and county courts in this State shall have concurrent jurisdiction with and may exercise all of the duties and powers conferred upon magistrates by any provisions of Chapters 33 through 41 of this Title.

HISTORY: 1962 Code Section 41‑5; 1952 Code Section 41‑5; 1951 (47) 221; 1972 (57) 2538.

**SECTION 27‑33‑50.** Financial responsibility of tenant for utilities.

 (A) Unless otherwise agreed in writing, a tenant has sole financial responsibility for gas, electric, water, sewerage, or garbage services provided to the premises the tenant leases, and a landlord is not liable for a tenant’s account.

 (B) An entity or utility providing gas, electric, water, sewerage, or garbage services must not:

 (1) require a landlord to execute an agreement to be responsible for all charges billed to premises leased by a tenant; or

 (2) discontinue or refuse to provide services to the premises the tenant leases based on the fact that the landlord refused to execute an agreement to be responsible for all the charges billed to the tenant leasing that premises.

 (C) This provision does not apply to a landlord whose property is a multi‑unit building consisting of four or more residential units served by a master meter or single connection.

HISTORY: 2002 Act No. 336, Section 3A; 2003 Act No. 63, Section 1.