

## NATIONAL REGISTER FACT SHEET **5**

### PROCEDURE FOR SUPPORTING OR OBJECTING TO NATIONAL REGISTER LISTING

Under federal law a privately owned property may not be listed individually in the National Register over the objection of its owner or, in the case of a property with multiple owners, over the objection of a majority of owners. A district may not be listed in the National Register over the objection of a majority of owners of private property within the proposed district.

#### **Supporting a National Register nomination:**

Private owners who seek National Register listing for their properties are not required to submit statements of concurrence, though letters of support of the nomination are welcomed and become a permanent part of the nomination file. Owners who wish to support a nomination are encouraged to submit letters of support to the State Historic Preservation Officer prior to the National Register Advisory Committee meeting at which the nomination is to be considered.

#### **Objecting to a National Register nomination:**

Any owner or partial owner of a nominated private property who chooses to object to listing must submit to the State Historic Preservation Officer either a notarized statement certifying that he or she is sole or partial owner of the private property and objects to the listing or an objection made under penalty of perjury consistent with 28 USC Section 1746 (including this language: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)"). Each owner or partial owner of the property has one vote regardless of what part of the property or how much property the individual owns. Owners who wish to object are encouraged to submit statements of objection prior to the meeting of the National Register Advisory Committee at which the nomination is being considered. However, statements of objection may be submitted and will be counted up until the actual date of listing, which usually takes place at least 15 days but not more than 45 days after the nomination is mailed to the Keeper of the National Register following the National Register Advisory Committee meeting.

If a majority of private property owners should object, the property or district will not be listed. However, in such cases the State Historic Preservation Officer is required to submit the nomination to the Keeper of the National Register for a *determination of eligibility* for the National Register. If the property or district is determined *eligible* for listing, although not formally listed, it will be treated as a listed property or district for purposes of federal undertakings in the environmental review process. Such properties are not eligible for federal preservation grants or tax credits until the objections are withdrawn and the property is listed.

#### **Address letters of support or objection to:**

State Historic Preservation Officer  
Office of Archives and History  
4610 Mail Service Center  
Raleigh, North Carolina 27699-4610

**National Register Advisory Committee meetings are open to the public. Meetings normally are held the second Thursday of February, June, and October in the conference room on the third floor of the Archives/State Library Building at 109 East Jones Street in Raleigh. For more information, call 919/814-6587.**

#### FOR MORE INFORMATION:

Historic structures and the National Register: **Survey and National Register Branch**, 919/814-6570.  
Archaeological sites and the National Register: **Office of State Archaeology**, 919/814-6554.  
Preservation tax credits and technical restoration assistance: **Restoration Branch**, 919/814-6570.  
Please visit the Historic Preservation office here: [State of North Carolina Historic Preservation Office](#)