

# **Bond Case Briefs**

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## **IMMUNITY - NORTH CAROLINA**

### **Meinck v. City of Gastonia**

**Supreme Court of North Carolina - October 26, 2018 - 819 S.E.2d 353**

Subtenant brought premises liability action against city, alleging failure to maintain exterior steps of building from which subtenant fell while carrying several large pictures.

The Superior Court granted summary judgment for city. Subtenant appealed. The Court of Appeals reversed and remanded. Both city and subtenant petitioned for discretionary review.

The Supreme Court of North Carolina held that city was immune from liability with regard to injuries sustained by subtenant.

City's purchase and subsequent lease of historic building to nonprofit art guild was governmental, rather than proprietary in nature, and thus, city was immune from liability with regard to injuries sustained by subtenant when she lost her balance and fell on a set of steps when leaving the building; the city leased the building to the art guild to promote the arts in the downtown area, a valid redevelopment activity under the Urban Redevelopment Law, city did not receive any profits from the lease of the building when its expenditures exceeded the rents and commissions collected from subtenants, and city's undertaking to promote the arts by bringing individual, local artists such as subtenant into the downtown area acted to promote the legislature's desire to bring the highest obtainable quality in the arts to the State.