

# Express Lien

Connecticut Lien Punchlist (Private)

## **NOTICE REQUIREMENTS**

Connecticut generally does not require any notices prior to the performance of work. However, the state laws do require some parties provide notice before filing liens, and the original contractor may electively file an affidavit with the town clerk within 15 days of starting work to protect it from liens.

- **Original Contractor Affidavit:** This notice is not a required filing. However, a general contractor may file an Affidavit with the town clerk within 15 days of commencing work on a construction project. The affidavit must state the general contractor's name, business address and a description of the property subject to liens. If this affidavit is properly filed, a subcontractor or supplier must deliver a Notice of Intent to Claim Mechanic's Lien to the general contractor, rather than simply delivering that notice to the owner.
- **Notice of Intent to File Lien:** Parties other than the general / original contractor must serve a notarized Notice of Intent to Claim Mechanic's Lien on the town clerk within the ninety-day time limit in which the Certificate of Lien must be filed. The notice must be notarized, and it must be served on the owner. If the general contractor filed an Affidavit with the town clerk, the notice must be served on the general contractor as well.

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## **THE MECHANICS LIEN**

In CT, a party has lien rights if they: (a) rendered services or furnished materials that have enhanced the property in some way or played an essential part in the scheme of physical improvement; and (b) the services rendered or furnished materials were in the construction, raising, removal or repairs of any building, or in the improvement of any lot or in the site development or subdivision in any plot of land.

- Referred to as "Certificate of Lien"
- Must be filed with the town clerk within 90 days from the last rendering of services of furnishing materials. It must be **served** on the owner within the same ninety-day period, but not later than 30 days after filing the lien.
- Lien expires if it is not foreclosed upon within one year after the lien was filed.

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**Service:** Requirements in CT are very strict. Statute requires careful compliance. If GC or Owner resides in the same town as the property subject to lien, service must be made personally upon them by an indifferent person, marshal or other proper officer. If resided out of that town, the indifferent person, marshal or officer can serve them via certified mail.

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