

Is Preliminary Notice Required in My State? List of Notice and Non-notice States

Some states require that contractors and suppliers provide preliminary notice to the property owner (and/or other parties) to preserve their lien rights. Whether this notice is required depends on the applicable state's laws.

[Get a free summary of a state's laws at MechanicLien.com.](#)

If you're looking for a basic overview of which states require preliminary notice and which don't, this post gives you a simple breakdown.

States That Require Notice

Alaska
Arizona
Arkansas
California
Florida
Kentucky
Maryland
Massachusetts
Michigan
Minnesota
Montana
Nevada
New Hampshire
New Mexico
Ohio
Oklahoma
Oregon
South Carolina
South Dakota

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Zlien is a national mechanic lien and preliminary notice filing service. Zlien also provides the LienPilot, a web-based lien compliance manager and deadline calculator, and publishes mechanic lien resources.

Tennessee
Texas
Utah
Washington
Wisconsin
Wyoming

Non-Notice States

Alabama
Colorado
Connecticut
Delaware
Georgia (unless owner files Notice of Commencement)
Hawaii
Idaho
Illinois (Except on Owner Occupied Residential Construction)
Indiana (Except on Owner Occupied Residential Construction)
Iowa (Except on Owner Occupied Residential Construction)
Kansas
Louisiana (except for equipment lessors)
Maine
Mississippi
Missouri
Nebraska
New Jersey
New York
North Carolina (unless Notice of Contract filed by prime contractor)
North Dakota
Pennsylvania
Rhode Island
Vermont
Virginia (Except on residential construction when Mechanic Lien Agent identified)
West Virginia
Washington DC

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Explaining This Post

This post reviews those circumstances when a preliminary notice is required from a subcontractor or supplier. Typically, these notices must be sent to the property owner or prime contractor within a certain number of days (from 8 to 120) from when materials and/or labor are first furnished to the project.

This post does not address circumstances when a prime contractor may have notice requirements, or when a "Notice of Intent to Lien" must be sent before filing a lien.

Read this article on the Construction Lien Blog here:
<http://constructionlienblog.com/?p=2156>