

Express Lien

Louisiana Lien Punchlist (Public)

Public v. Private Claims

In Louisiana, property owned by the state cannot be liened. However, most state construction contracts require that the prime contractor place a payment and/or performance bond before work begins. Any claims for non-payment are brought directly against the bond, which secures the claims in place of the property itself.

However, to assert a claim against the bond, the claimant must timely record its claim and follow the required notice procedures.

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NOTICE REQUIREMENTS

Generally, notice is not required to file a public claim. However, there is one exception for lessors of equipment.

- Those Who Lease Equipment must deliver a copy of the lease to the governing authority having the work done within 10 days from the first delivery of equipment to the project.

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THE MECHANICS LIEN

- Referred to as "Statement of Claim"
- Must be recorded any time after the maturity of the claim and within 45 days after the completion of work.
- The claim must be delivered to the governing authority having the work done, but unlike many states, it must also be recorded.

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