

WOLFE LAW GROUP

National Lien Law Punchlist (Private Works)

What is a Mechanics Lien?

A mechanic's lien is a security interest in the title to property for the benefit of those who have supplied labor or materials that improve the property. The lien exists for both real property and personal property. In the realm of real property, it is called by various names, including, generically, construction lien. It is also called a materialman's lien or supplier's lien when referring to those supplying materials, a laborer's lien when referring to those supplying labor, and a design professional's lien when referring to architects or designers who contribute to a work of improvement.

(Source: http://en.wikipedia.org/wiki/Mechanics_lien)

Where Can I Find More Information?

More information about mechanic liens, lien laws and even the ability to download free lien forms can be found through the following resources:

- Construction Law Monitor (<http://www.constructionlawmonitor.com>)
- Construction Lien Blog (www.constructionlienblog.com)

Disclaimer

Read the disclaimer for use of this document at <http://www.wolfelaw.com/disclaimer/>

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

TABLE OF CONTENTS

ALABAMA	3
ALASKA.....	3
ARIZONA	4
ARKANSAS	4
CALIFORNIA	5
COLORADO.....	5
CONNECTICUT	6
DELAWARE.....	6
FLORIDA.....	6
GEORGIA	7
HAWAII.....	7
IDAHO.....	8
ILLINOIS	8
INDIANA	8
IOWA	9
KANSAS.....	9
KENTUCKY	9
LOUISIANA	10
MAINE	10
MARYLAND.....	10
MASSACHUSETTS	11
MICHIGAN	11
MINNESOTA.....	12
MISSISSIPPI.....	12
MISSOURI	12
MONTANA	13
NEBRASKA	13
NEVADA	13
NEW HAMPSHIRE	14
NEW JERSEY.....	14
NEW MEXICO	14
NEW YORK.....	14
NORTH CAROLINA.....	15
NORTH DAKOTA.....	15
OHIO.....	15
OKLAHOMA	16
OREGON	16
PENNSYLVANIA.....	16
RHODE ISLAND.....	17
SOUTH CAROLINA.....	17
SOUTH DAKOTA	17
TENNESSEE.....	18
TEXAS.....	18
UTAH.....	19
VERMONT.....	19
VIRGINIA	19
WASHINGTON.....	20
WEST VIRGINIA.....	20
WISCONSIN.....	20
WYOMING	21
WASHINGTON D.C.	21

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Alabama

Ala Code §§ 35-11-1 et seq

	Prime Contractor	Subcontractor/Laborer	Supplier / Other
Notice Requirements	None	If there is not direct contract with owner, notice of unpaid lien must be provided to owner before filing for lien. If a supplier of materials only, may provide preliminary notice to obtain the same lien rights as a general contractor.	
Claim of Lien	Must be filed within 6 months after debt becomes due. Suit to commence / enforce lien also due 6 months after debt becomes due.	Must be filed 4 months after last providing materials or labor. Laborers must file within 30 days after last providing labor. Suit to commence / enforce due 6 months after debt becomes due.	Must be filed 4 months after last providing materials or labor. Suit to commence / enforce due 6 months after debt becomes due.

A release of a lien is by the statute of limitation or through acknowledgement of payment in full. There is no law in Alabama where a party could use a bond to release a lien.

Alaska

Alaska Statute §§ 34.35.005 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Lien Rights may be served on owner & filed before providing labor or materials, has effect of extended lien recording time.	Notice of Lien Rights may be served on owner & filed before providing labor or materials, has effect of extended lien recording time.	Notice of Lien Rights may be served on owner & filed before providing labor or materials, has effect of extended lien recording time.
Claim of Lien	Must be filed within 15 days from filing of a Notice of Completion. If Notice of Lien Right is recorded, Claimant has 90 days from actual completion of the contract or last day of providing services to record.	Must be filed within 15 days from filing of a Notice of Completion. If Notice of Lien Right is recorded, Claimant has 90 days from actual completion of the contract or last day of providing services to record.	Must be filed within 15 days from filing of a Notice of Completion. If Notice of Lien Right is recorded, Claimant has 90 days from actual completion of the contract or last day of providing services to record.

A prelien notice is not required but recommended to make enforcement easier. A lien can be filed by any person who furnishes services for the improvement of real property at the request of an owner. If the owner has filed a notice of completion the claimant has 15 days to file. The notice of completion puts potential claimants on notice that the time to file is running. If the owner has not filed a notice of completion the claimant has 90 days after the completion of the construction contract or 90 days after the claimant has ceased to furnish services. A property cannot be bound by lien for more than six months unless legal action has commenced. A bond can be used to release a lien.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Arizona

Ariz. R.S. § 33-981 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Preliminary Notice must be delivered to owner, prime contractor and construction lender within 20 days of providing labor services or materials.	Preliminary Notice must be delivered to owner, prime contractor and construction lender within 20 days of providing labor services or materials. Actual laborer exempt.	Preliminary Notice must be delivered to owner, prime contractor and construction lender within 20 days of providing labor services or materials.
Claim of Lien	Must be filed within 60 days of filing of Notice of Completion, or within 120 days after completion. Action to enforce lien must be filed within 6 months after recording lien.	Must be filed within 60 days of filing of Notice of Completion, or within 120 days after completion. Action to enforce lien must be filed within 6 months after recording lien.	Must be filed within 60 days of filing of Notice of Completion, or within 120 days after completion. Action to enforce lien must be filed within 6 months after recording lien.

Arkansas

Ark. Code Ann. §§ 18-44-101 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Intent to Lien required 10 days before filing a lien. On Residential Projects, a Pre-Construction Notice to Owner required before work. On other projects, Notice to Owner and Contractor within 75 days of last furnishing work and materials.	Notice of Intent to Lien required 10 days before filing a lien. On Residential Projects, a Pre-Construction Notice to Owner required before work. On other projects, Notice to Owner and Contractor within 75 days of last furnishing work and materials.	Notice of Intent to Lien required 10 days before filing a lien. On Residential Projects, a Pre-Construction Notice to Owner required before work. On other projects, Notice to Owner and Contractor within 75 days of last furnishing work and materials.
Claim of Lien	Must be filed within 120 days after last furnishing labor/materials. Action to enforce must be filed within 15 months after filing lien.	Must be filed within 120 days after last furnishing labor/materials. Action to enforce must be filed within 15 months after filing lien.	Must be filed within 120 days after last furnishing labor/materials. Action to enforce must be filed within 15 months after filing lien.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

California

Cal. Civil Code §§ 3082 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None.	Preliminary 20-Day notice must be served on owner, prime contractor and lender (if any) within 20 days of first providing materials or labor. Tardy notice only effective for work done in the preceding 20 days.	Preliminary 20-Day notice must be served on owner, prime contractor and lender (if any) within 20 days of first providing materials or labor. Tardy notice only effective for work done in the preceding 20 days.
Claim of Lien	Must be filed within 60 days from filing of Notice of Completion or Cessation, or if neither are filed, within 90 days from completion of the work. Action to enforce due 90 days after recording of claim.	Must be filed within 60 days from filing of Notice of Completion or Cessation, or if neither are filed, within 90 days from completion of the work. Action to enforce due 90 days after recording of claim.	Must be filed within 60 days from filing of Notice of Completion or Cessation, or if neither are filed, within 90 days from completion of the work. Action to enforce due 90 days after recording of claim.

Aside from a lien, a claimant may also (and additionally) file a Stop Notice. This is a verified statement containing the services provided and the amount owed. Instead of liening the property, it liens project funds.

Colorado

Colo. R.S. § 38-22-101 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Intent (with copy of lien that will be filed) required 10 days before filing.	Notice of Intent (with copy of lien that will be filed) required 10 days before filing.	Notice of Intent (with copy of lien that will be filed) required 10 days before filing.
Claim of Lien	Must be filed within 4 months after last delivery of services or materials. If only labor provided (and not materials) time is shortened to 2 months. Action to enforce lien is required 6 months after completion or last furnishing of services or materials.	Must be filed within 4 months after last delivery of services or materials. If only labor provided (and not materials) time is shortened to 2 months. Action to enforce lien is required 6 months after completion or last furnishing of services or materials.	Must be filed within 4 months after last delivery of services or materials. If only labor provided (and not materials) time is shortened to 2 months. Action to enforce lien is required 6 months after completion or last furnishing of services or materials.

A party may not place a lien on property where the contractor and his surety have executed a performance bond. Parties who would be otherwise entitled to a lien may pursue the contractor and his surety.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Connecticut

Conn. Gen. Stat. § 49-33 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	File affidavit required by statute within 15 days of commencing work.	Notice of Intent to owner and prime contractor before filing lien.	Notice of Intent to owner and prime contractor before filing lien.
Claim of Lien	Must be filed within 90 days of last day work performed. Action to enforce must be commenced within 1 year after recording lien.	Must be filed within 90 days of last day work performed. Action to enforce must be commenced within 1 year after recording lien.	Must be filed within 90 days of last day work performed. Action to enforce must be commenced within 1 year after recording lien.

Delaware

Del. Code Ann. § 25:2701 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Must provide list of all subs and suppliers within 10 days of request.	None	None
Claim of Lien	Must be filed within 180 days of completion of work.	Must be filed within 120 days of completion of work.	Must be filed within 120 days of completion of work.

Florida

Fla. Stat. § 713.001 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Must provide list of all subs and suppliers within 10 days of request.	Notice to Owner required within earlier date of: (a) 45 days after first providing labor or materials; (b) 45 days when work begins on making specialty materials; (c) Before owner's final payment to prime contractor under its contract. Sub-Subs must serve notice before earlier date of: (a) 45 days after first commencing work or furnishing materials or (b) before final payment to sub hiring it.	If contracting with owner, same notice requirements as Prime. If contracting with prime contractor, same notice requirements as Subcontractor. If contracting with Subcontractor, same notice requirements as Sub-Subcontractor.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Claim of Lien	Must be filed within 90 days of last day work performed, and served on owner 15 days after filing. Action to enforce must be commenced within 1 year after recording lien.	Must be filed within 90 days of last day work performed, and served on owner 15 days after filing. Action to enforce must be commenced within 1 year after recording lien.	Must be filed within 90 days of last day work performed, and served on owner 15 days after filing. Action to enforce must be commenced within 1 year after recording lien.
----------------------	--	--	--

Georgia

GAI. Code Ann. § 44-14-360 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None Unless owner files Notice of Commencement, then "Notice to Contractor" must be sent to Owner and Contractor within 30 days of first delivering services or materials.	None Unless owner files Notice of Commencement, then "Notice to Contractor" must be sent to Owner and Contractor within 30 days of first delivering services or materials.
Claim of Lien	Must be filed within 90 days of last furnishing labor / materials. Action to enforce due within 365 days after filing.	Must be filed within 120 days of completion of work.	Must be filed within 120 days of completion of work.

Hawaii

Haw. RS § 507-42 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Must be filed within 45 days after completion of work. Court will hold a hearing to determine if probable cause exists for the lien within 3-10 days after service, and if found, will attach. Must enforce lien within 3 months after attachment.	Must be filed within 45 days after completion of work. Court will hold a hearing to determine if probable cause exists for the lien within 3-10 days after service, and if found, will attach. Must enforce lien within 3 months after attachment.	Must be filed within 45 days after completion of work. Court will hold a hearing to determine if probable cause exists for the lien within 3-10 days after service, and if found, will attach. Must enforce lien within 3 months after attachment.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Idaho

Idaho Code § 45-501 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Must be filed within 90 days after last furnishing of labor/materials. Action to enforce due within 6 months of filing lien.	Must be filed within 90 days after last furnishing of labor/materials. Action to enforce due within 6 months of filing lien.	Must be filed within 90 days after last furnishing of labor/materials. Action to enforce due within 6 months of filing lien.

Illinois

770 ILCS 60/0.01 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Typically, none. If working on single-family owner-occupied residence, notice required w/in 60 days of starting work.	Typically, none. If working on single-family owner-occupied residence, notice required w/in 60 days of starting work.
Claim of Lien	Must be filed within 4 months after completion of work to get priority over owner and third parties. Within 2 years after completion of work to prevail over original owner. Action to enforce due within 2 years after completion of work.	Must deliver Notice of Intent to Lien w/in 90 days of last furnishing labor and/or materials. Thereafter, must be filed within 4 months after completion of work to get priority over owner and third parties. Within 2 years after completion of work to prevail over original owner. Action to enforce due within 2 years after completion of work.	Must deliver Notice of Intent to Lien w/in 90 days of last furnishing labor and/or materials. Thereafter, must be filed within 4 months after completion of work to get priority over owner and third parties. Within 2 years after completion of work to prevail over original owner. Action to enforce due within 2 years after completion of work.

Indiana

Ind. Code § 32-28-3-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Within 90 days of last providing materials or labor. Action to enforce due within 1 year.	Within 90 days of last providing materials or labor. Action to enforce due within 1 year.	Within 90 days of last providing materials or labor. Action to enforce due within 1 year.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Iowa

Iowa. Code § 572.1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	If supplying to a sub, must notify prime contractor within 30 days of first furnishing materials.
Claim of Lien	Within 90 days of last providing materials or labor, lien must be filed. Action to enforce must be commenced within 2 years from the expiration of the 90 day period.	Within 90 days of last providing materials or labor, lien must be filed. Action to enforce must be commenced within 2 years from the expiration of the 90 day period.	Within 90 days of last providing materials or labor, lien must be filed. Action to enforce must be commenced within 2 years from the expiration of the 90 day period.

Kansas

Kansas Stat. Ann § 60-1101 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Lien must be filed within 4 months from last providing materials or labor, lien must be filed. Action to enforce must be commenced within 1 years from filing of lien.	Lien must be filed within 3 months from last providing materials or labor, lien must be filed. Action to enforce must be commenced within 1 years from filing of lien.	Lien must be filed within 3 months from last providing materials or labor, lien must be filed. Action to enforce must be commenced within 1 years from filing of lien.

Kentucky

Ky RS Ann § 376.010 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice to Owner must be given within 75 days of last furnishing labor or materials if contract is \$1000 or less. If it is more than \$1000, notice must be given within 120 days of last furnishing labor or materials.	Notice to Owner must be given within 75 days of last furnishing labor or materials if contract is \$1000 or less. If it is more than \$1000, notice must be given within 120 days of last furnishing labor or materials.
Claim of Lien	Lien must be filed within 6 months from last providing materials or labor. Action to enforce must be commenced within 12 months from filing of lien.	Lien must be filed within 6 months from last providing materials or labor. Action to enforce must be commenced within 12 months from filing of lien.	Lien must be filed within 6 months from last providing materials or labor. Action to enforce must be commenced within 12 months from filing of lien.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Louisiana

La. R.S. §4801, et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Contract must be filed before work begins if contract more than \$25,000.00	None	Notice of Non-Payment Sent 10 Days before filing lien for material suppliers. Equipment Lessors must deliver lease to owner and prime within 10 days of furnishing equipment.
Claim of Lien	60 days from substantial completion of work.	60 days from substantial completion of work. If Notice of Termination filed by Owner/Contractor, then shortened to 30 days.	60 days from substantial completion of work. If Notice of Termination filed by Owner/Contractor, then shortened to 30 days.

Maine

Me R.S. 10:3251 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Must be filed 120 days after last providing materials or labor, along with action to enforce.	Must be filed 90 days after last providing materials or labor, action to enforce within 120 days of last providing materials or labor.	Must be filed 90 days after last providing materials or labor, action to enforce within 120 days of last providing materials or labor.

Maryland

Md. Code Ann Real Prop 9-10 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice of lien claim must be served on owner within 120 days after last providing labor or materials.	Notice of lien claim must be served on owner within 120 days after last providing labor or materials.
Claim of Lien	Lien must be filed within 180 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.	Lien must be filed within 180 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.	Lien must be filed within 180 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Massachusetts

Mass. Gen. Laws 254, § 1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Contract must be recorded at earlier date of (a) 60 days after filing notice of substantial completion or (b) 90 days after filing notice of termination or (c) 90 days after last furnishing labor or materials to project.	Sub-Subs or Suppliers to subs must provide notice of identification to prime contractor within 30 days of commencing work. Notice of Subcontract must be recorded at earlier of dates applicable to Prime, labeled to left as (a), (b) & (c)	Sub-Subs or Suppliers to subs must provide notice of identification to prime contractor within 30 days of commencing work. Notice of Subcontract must be recorded at earlier of dates applicable to Prime, labeled to left as (a), (b) & (c)
Claim of Lien	Lien must be filed within earliest date of (a) 90 days after filing notice of substantial completion; (b) 120 days after filing notice of termination; (c) 120 days after last furnishing labor or materials to project. Action to enforce due within 90 days after recording lien.	Lien must be filed within earliest date of (a) 90 days after filing notice of substantial completion; (b) 120 days after filing notice of termination; (c) 120 days after last furnishing labor or materials to project. Action to enforce due within 90 days after recording lien.	Lien must be filed within earliest date of (a) 90 days after filing notice of substantial completion; (b) 120 days after filing notice of termination; (c) 120 days after last furnishing labor or materials to project. Action to enforce due within 90 days after recording lien.

Michigan

MCLA 570.1101 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Must provide list of subs and suppliers upon request.	Notice of furnishing to owner and prime within 20 days after first providing labor or materials. Laborer has 30 days after wages were due, and not paid, to serve notice.	Notice of furnishing to owner and prime within 20 days after first providing labor or materials.
Claim of Lien	Lien must be filed within 90 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.	Lien must be filed within 90 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.	Lien must be filed within 90 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Minnesota

Minn. Stat. § 514.01 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice must be in contract, or served on owner within 10 days after work is agreed upon.	Preliminary Notice within 45 days of first providing labor or materials.	Preliminary Notice within 45 days of first providing labor or materials.
Claim of Lien	Lien must be filed within 120 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.	Lien must be filed within 120 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.	Lien must be filed within 120 days from last providing materials or labor. Action to enforce must be commenced within 1 year from filing of lien.

Mississippi

Miss Code Ann 85-7-131 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Within 12 months from when debt became due, the lien must be filed. Action to enforce due within same period.	No lien rights. Can deliver a "Stop Notice" at anytime to lien funds, but only effective to funds in owner's hands at time of notice.	If contracted with owner, same lien rights as Prime Contractor. Otherwise, no lien rights. Can deliver a "Stop Notice" at anytime to lien funds, but only effective to funds in owner's hands at time of notice.

Missouri

Mo Rev Stat § 429.010 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Disclosure notice served on owner prior to first payment.	Notice of Intent to Lien 10 days prior to filing lien. Written consent from residential owner before work.	Notice of Intent to Lien 10 days prior to filing lien. Written consent from residential owner before work. Equipment rental within 5 days of delivery.
Claim of Lien	Lien within 6 months of last work, enforced 6 months from filing.	Lien within 6 months of last work, enforced 6 months from filing.	Lien within 6 months of last work, enforced 6 months from filing. Equipment lessors must file lien w/in 60 days of removing equipment

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Montana

Mont. Code. Ann. § 71-3-521 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Lien Rights served on owner within 20 days of first delivering materials or labor and filed with recorder within 5 days of delivery to owner.	Notice of Lien Rights served on owner within 20 days of first delivering materials or labor and filed with recorder within 5 days of delivery to owner.	Notice of Lien Rights served on owner within 20 days of first delivering materials or labor and filed with recorder within 5 days of delivery to owner.
Claim of Lien	Lien must be filed within 90 days of last providing labor or materials. Action to enforce due within 2 years from lien's filing.	Lien must be filed within 90 days of last providing labor or materials. Action to enforce due within 2 years from lien's filing.	Lien must be filed within 90 days of last providing labor or materials. Action to enforce due within 2 years from lien's filing.

Nebraska

Neb RS. § 52-125 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Lien must be filed within 120 days of last providing labor or materials. Action to enforce due within 2 years from lien's filing.	Lien must be filed within 120 days of last providing labor or materials. Action to enforce due within 2 years from lien's filing.	Lien must be filed within 120 days of last providing labor or materials. Action to enforce due within 2 years from lien's filing.

Nevada

Nev RS. § 108.221 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice to owner and prime within 31 days of first furnishing labor or materials.	Notice to owner and prime within 31 days of first furnishing labor or materials.
Claim of Lien	Lien must be filed within 90 days of last providing labor or materials, or completion of work (whatever is later). Action to enforce due within 6 months from lien's filing.	Lien must be filed within 90 days of last providing labor or materials, or completion of work (whatever is later). Action to enforce due within 6 months from lien's filing.	Lien must be filed within 90 days of last providing labor or materials, or completion of work (whatever is later). Action to enforce due within 6 months from lien's filing.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

New Hampshire

N.H. RS. § 447:1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice of lien rights served on owner prior to providing labor or materials, and delivery every 30 days.	Notice of lien rights served on owner prior to providing labor or materials, and delivery every 30 days.
Claim of Lien	Lien must be filed within 120 days of last providing labor or materials.	Lien must be filed within 120 days of last providing labor or materials.	Lien must be filed within 120 days of last providing labor or materials.

New Jersey

NJ Stat Ann 2A:44A-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Lien must be filed within 90 days of last providing labor or materials. Action to enforce due within 1 year from last providing labor or materials.	Lien must be filed within 90 days of last providing labor or materials. Action to enforce due within 1 year from last providing labor or materials.	Lien must be filed within 90 days of last providing labor or materials. Action to enforce due within 1 year from last providing labor or materials.

New Mexico

NM Stat Ann 48-2-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Within 60 days of first providing labor or materials if work over \$5000. Sub-Subs required to provide Notice of Intent to Lien before filing.	Within 60 days of first providing materials if over \$5000. Supplier to Sub required to provide Notice of Intent to Lien before filing.
Claim of Lien	Lien must be filed within 120 days from project completion. Action to enforce due within 2 years from lien's filing.	Lien must be filed within 90 days from project completion. Action to enforce due within 2 years from lien's filing.	Lien must be filed within 90 days from project completion. Action to enforce due within 2 years from lien's filing.

New York

NY Lien Law §§ 1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Generally, lien required w/in 8 months of last furnishing services. On single-family residential projects, w/in 4 months. Enforcement due 1 year from lien filing.	Generally, lien required w/in 8 months of last furnishing services. On single-family residential projects, w/in 4 months. Enforcement due 1 year from lien filing.	Generally, lien required w/in 8 months of last furnishing services. On single-family residential projects, w/in 4 months. Enforcement due 1 year from lien filing.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

North Carolina

NC Gen Stat 44A-7 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice of Subcontract if Notice of Contract Filed by Prime Contractor.	Notice of Subcontract if Notice of Contract Filed by Prime Contractor.
Claim of Lien	Lien filed within 120 days from last furnishing labor or materials, and enforced within 180 days after last furnishing labor or materials.	Lien filed within 120 days from last furnishing labor or materials, and enforced within 180 days after last furnishing labor or materials.	Lien filed within 120 days from last furnishing labor or materials, and enforced within 180 days after last furnishing labor or materials.

North Dakota

ND Cent Coe 35-27-01 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None of Intent to Lien required to be filed 15 days before filing lien.	None of Intent to Lien required to be filed 15 days before filing lien.	None of Intent to Lien required to be filed 15 days before filing lien.
Claim of Lien	Lien must be filed within 90 days from last delivery of labor or materials. Notice of Intent to Enforce must be sent 20 days before filing enforcement action. Enforcement action due 3 years after recording date of notice.	Lien must be filed within 90 days from last delivery of labor or materials. Notice of Intent to Enforce must be sent 20 days before filing enforcement action. Enforcement action due 3 years after recording date of notice.	Lien must be filed within 90 days from last delivery of labor or materials. Notice of Intent to Enforce must be sent 20 days before filing enforcement action. Enforcement action due 3 years after recording date of notice.

Ohio

Ohio R.C. Ann 1311.01 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice of furnishing due within 21 days of first furnishing labor or materials.	Notice of furnishing due within 21 days of first furnishing labor or materials.
Claim of Lien	Lien due 75 days from last furnishing labor or materials. Action to enforce due within 6 years from filing of lien.	Lien due 75 days from last furnishing labor or materials. Action to enforce due within 6 years from filing of lien.	Lien due 75 days from last furnishing labor or materials. Action to enforce due within 6 years from filing of lien.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Oklahoma

OKLA State 42 § 141 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	If owner-occupied residential project, Homeowners Notice required before work begins.	If owner-occupied residential project, Homeowners Notice required before work begins. If non-residential, PreLien notice required within 75 days of delivering labor and/or materials.	If owner-occupied residential project, Homeowners Notice required before work begins. If non-residential, PreLien notice required within 75 days of delivering labor and/or materials.
Claim of Lien	Lien must be filed w/in 4 months after last labor or materials furnished, enforced 1 year after filing.	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 1 year after filing.	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 1 year after filing.

Oregon

OR R.S. 87.001 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Information Notice to Owner at time of contract execution for residential projects.	Notice of right to lien served on owner (and lender, if any) within 8 days of providing labor/materials on residential projects.	Notice of right to lien served on owner (and lender, if any) within 8 days of providing labor/materials on residential projects.
Claim of Lien	Lien must be filed w/in 75 days after last labor or materials furnished, or completion of project (whatever earlier). Enforced 120 days after filing.	Lien must be filed w/in 75 days after last labor or materials furnished, or completion of project (whatever earlier). Enforced 120 days after filing.	Lien must be filed w/in 75 days after last labor or materials furnished, or completion of project (whatever earlier). Enforced 120 days after filing.

Pennsylvania

49 PA Cons Stat 1101 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice of intent to lien required 30 days before filing.	Notice of intent to lien required 30 days before filing.
Claim of Lien	Lien must be filed w/in 6 months after last labor or materials furnished, enforced 2 years after filing.	Lien must be filed w/in 6 months after last labor or materials furnished, enforced 2 years after filing.	Lien must be filed w/in 6 months after last labor or materials furnished, enforced 2 years after filing.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Rhode Island

RI Gen Law 34-28-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Commencement required within 10 days of commencing work	None	None
Claim of Lien	Lien must be filed w/in 200 days after last labor or materials furnished, enforced 40 days after filing.	Lien must be filed w/in 200 days after last labor or materials furnished, enforced 40 days after filing.	Lien must be filed w/in 200 days after last labor or materials furnished, enforced 40 days after filing.

South Carolina

SC Code Ann 29-5-10 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of project commencement due 15 days after commencement	Notice to prime required before providing labor or materials	Notice to prime required before providing labor or materials
Claim of Lien	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 6 months after last providing labor or materials.	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 6 months after last providing labor or materials.	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 6 months after last providing labor or materials.

South Dakota

SD Codified Laws 44-1-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of project commencement due 30 days after commencement	Preliminary Notice required within 60 days of first furnishing labor or materials (to owner and prime contractor).	Preliminary Notice required within 60 days of first furnishing labor or materials (to owner and prime contractor).
Claim of Lien	Lien must be filed w/in 120 days after last labor or materials furnished, and enforced w/in 6 years after last labor or materials furnished,	Lien must be filed w/in 120 days after last labor or materials furnished, and enforced w/in 6 years after last labor or materials furnished,	Lien must be filed w/in 120 days after last labor or materials furnished, and enforced w/in 6 years after last labor or materials furnished,

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Tennessee

Tenn Code Ann 66-11-101

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice to owner prior to commencing work.	Notice of nonpayment must be provided to Owner within 90 days of last day of the month when labor and materials provided. Separate notices required for each month unpaid services or materials are provided.	If supplying to owner, same notice requirements as prime contractor. Otherwise, notice requirements same as Subcontractor..
Claim of Lien	Lien must be filed w/in 1 year after last labor or materials furnished. Must be enforced during same period.	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 90 days after last providing labor or materials.	Lien must be filed w/in 90 days after last labor or materials furnished, enforced 90 days after last providing labor or materials.

Texas

Texas Prop Code 53.001 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	Notice of NonPayment required to be sent to owner and prime for each month unpaid amounts are claimed by the 15 th day of the 3 rd month following each month the unpaid amounts became due. For Sub-Subcontractors, time frame reduced to 15 th day of the 2 nd month following each month the unpaid amounts became due.	None
Claim of Lien	Must be filed by 15 day of the 4 th calendar month after the day on which the debt accrued. Enforcement due 1 years from last day to file the lien or 1 year from completion of the work (whichever is later).	Must be filed by 15 day of the 4 th calendar month after the day on which the debt accrued. Enforcement due 2 years from last day to file the lien or 1 year from completion of the work (whichever is later).	Must be filed by 15 day of the 4 th calendar month after the day on which the debt accrued. Enforcement due 2 years from last day to file the lien or 1 year from completion of the work (whichever is later).

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Utah

Utah Code Ann 38-1-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	File Notice of Commencement within 15 days of getting the building permit, or if not permit issued, within 15 days of beginning work.	Preliminary notice must be <u>filed</u> within 20 days from commencement of work or delivery of materials.	Preliminary notice must be <u>filed</u> within 20 days from commencement of work or delivery of materials.
Claim of Lien	90 days from notice of completion, or if not filed, 180 days from completion of work. Never later than 180 days from end of work. Enforced within 180 days of lien filing.	90 days from notice of completion, or if not filed, 180 days from completion of work. Never later than 180 days from end of work. Enforced within 180 days of lien filing	90 days from notice of completion, or if not filed, 180 days from completion of work. Never later than 180 days from end of work. Enforced within 180 days of lien filing

Vermont

Vermont Stat Ann 9:1921 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Lien must be filed w/in 180 days from when payment became due for last materials or labor provided, and enforced within 180 days from the filing date.	Lien must be filed w/in 180 days from when payment became due for last materials or labor provided, and enforced within 180 days from the filing date.	Lien must be filed w/in 180 days from when payment became due for last materials or labor provided, and enforced within 180 days from the filing date.

Virginia

Virginia Code Ann 43-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	On residential projects, when Mechanic Lien Agent identified in building permit, 30 day preliminary notice required.	On residential projects, when Mechanic Lien Agent identified in building permit, 30 day preliminary notice required.	On residential projects, when Mechanic Lien Agent identified in building permit, 30 day preliminary notice required.
Claim of Lien	Lien must be filed within 90 days from last day of the month which labor or materials furnished, or within 90 days from time the work is completed, whichever is later. Enforcement is required 6 months from date lien recorded or work completed, whichever is later.	Lien must be filed within 90 days from last day of the month which labor or materials furnished, or within 90 days from time the work is completed, whichever is later. Enforcement is required 6 months from date lien recorded or work completed, whichever is later.	Lien must be filed within 90 days from last day of the month which labor or materials furnished, or within 90 days from time the work is completed, whichever is later. Enforcement is required 6 months from date lien recorded or work completed, whichever is later.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Washington

WA RCW 60.04.011 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Under some circumstances, Notice to Owner required before commencing work. Model Disclosure Statement due before work begins on all residential projects, and commercial projects under \$60,000.	Unless contracted with owner or prime contractor, must deliver Notice of Right to Claim Lien within 60 days from first delivering labor or materials.	Unless contracted with owner or prime contractor, must deliver Notice of Right to Claim Lien within 60 days from first delivering labor or materials.
Claim of Lien	Lien must be filed w/in 90 days from last delivering labor or materials, and enforced within 8 months from lien's filing.	Lien must be filed w/in 90 days from last delivering labor or materials, and enforced within 8 months from lien's filing.	Lien must be filed w/in 90 days from last delivering labor or materials, and enforced within 8 months from lien's filing.

West Virginia

W VA Code 38-2-1 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Lien must be filed w/in 100 days from completion of contract, and enforced within 6 months from lien's filing.	Lien must be filed w/in 100 days from last delivering labor or materials, and enforced within 6 months from lien's filing.	Lien must be filed w/in 100 days from last delivering labor or materials, and enforced within 6 months from lien's filing.

Wisconsin

Wis. Stat 779.01 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Preliminary Notice in original contract or served on owner within 10 days after beginning work. Notice of intent to lien required 30 days before lien.	Preliminary notice required 60 days after first providing labor or materials to owner. Notice of intent to lien required 30 days before lien.	Preliminary notice required 60 days after first providing labor or materials to owner. Notice of intent to lien required 30 days before lien.
Claim of Lien	Lien must be filed w/in 6 months from last providing labor or materials, and enforced within 2 years from lien's filing.	Lien must be filed w/in 6 months from last providing labor or materials, and enforced within 2 years from lien's filing.	Lien must be filed w/in 6 months from last providing labor or materials, and enforced within 2 years from lien's filing.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>

Wyoming

Wyo Stat Ann 29-1-201 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	Notice of Intent to lien required 10 days prior to filing lien.	Notice to prime contractor provided 60 days after first providing labor or materials if <u>prime contract</u> more than \$50,000. Notice of Intent to lien required 10 days prior to filing lien.	Notice to prime contractor provided 60 days after first providing labor or materials if <u>prime contract</u> more than \$50,000. Notice of Intent to lien required 10 days prior to filing lien.
Claim of Lien	Lien must be filed w/in 90 days from last delivering labor or materials, and enforced within 180 days from lien's filing.	Lien must be filed w/in 90 days from last delivering labor or materials, and enforced within 180 days from lien's filing.	Lien must be filed w/in 90 days from last delivering labor or materials, and enforced within 180 days from lien's filing.

Washington D.C.

DC Code Ann 40-301.01 et seq

	Prime Contractor	Subcontractor	Supplier / Other
Notice Requirements	None	None	None
Claim of Lien	Lien must be filed w/in 90 days from completion or termination of project (earlier of two), and enforced within 180 days from lien's filing.	Lien must be filed w/in 90 days from completion or termination of claimant's work (earlier of two), and enforced within 180 days from lien's filing.	Lien must be filed w/in 90 days from completion or termination of claimant's work (earlier of two), and enforced within 180 days from lien's filing.

Wolfe Law Group

<http://www.constructionlawmonitor.com>

Subject to Disclaimer at: <http://www.wolfelaw.com/disclaimer>