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Connecticut Mechanic's Lien Basics

What is a mechanic's lien?

A mechanic's lien is an interest in real property available to workers who have contributed their labor, and to suppliers who have furnished material, for the improvement of real property. Payment on the lien is obtained when the lien is foreclosed or the owner pays money to have the lien discharged.

Who can claim a lien?

Connecticut law permits any person with a claim for more than ten dollars for materials furnished or services rendered in the construction, raising, removal, or repair of a building, or the development of any lot or plot, to claim a mechanic's lien. Conn. Gen. Stat. §49-33.

Is an agreement with the owner required in order to create a lien?

Yes. The claim must be by virtue of an "agreement with or by consent of the owner of the land" or of "some person having authority from or rightfully acting for the owner in procuring the labor or materials, the building, with the land" CONN. GEN. STATS. § 49-33(a). But the agreement does not have to be in writing.

How long after completing work does a party have to claim a lien?

The lien must be filed within ninety (90) days after the last day of work or the last day that materials were furnished. Conn. Gen. Stat. §49-34.

How is the lien filed?

A contractor or subcontractor with a direct written agreement with the owner may record a Certificate of Lien on the land records in the town where the services were performed or the materials supplied. The lien must then be served on the owner of the land. A subcontractor without a direct agreement must file a Notice of Intent to Claim a Lien in addition to the lien, but the two documents can be combined together. The lien must be served by an indifferent person, state marshal or other proper officer.

What must the lien contain?

The lien must contain:

1. a description of the premises;
2. the amount claimed in the lien;

3. The name of the person/entity against whom the lien is filed;
4. The date of commencement of performance; and
5. A statement that the amount claimed is justly due.

The lien certificate must be signed and its contents sworn to by the claimant. Note that this is different from an acknowledgment. There must be an oath administered.

How long is a lien good for?

The lien will lapse and become ineffective unless an action to foreclose the lien is commenced within 1 year after the lien is filed with the town clerk and a notice of lis pendens is filed on the land records.

Disclaimer: Nothing herein website constitutes legal advice. You are cautioned not to take action based on this document, and are urged to seek legal advice that is based upon your specific circumstances, jurisdiction and the most current provisions of the law. No attorney-client relationship is created until you are interviewed by attorney Basche and he accepts the engagement to represent you.