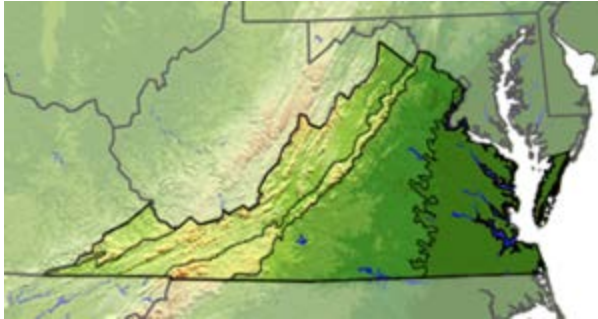




## [Reminder: Title Search is Key for a Virginia Mechanic's Lien](#)



With the economy the way that it is, my [mechanic's lien practice](#) (and [bond claim practice](#) for that matter) is thriving. Interestingly, the recent uptick in the construction economic landscape here in Virginia caused me to get more, rather than fewer, calls requesting help with the filing or defense of mechanic's liens.

As I go through each of the claims with the proverbial fine toothed comb (and with an eye to the fact that these creatures of statute [are tricky beasts](#)) I am struck by the fact that the owner of the construction project listed on the construction contract is often a different person or legal entity than the entity that owns the ground under the building. This issue is more complicated when your work is only on a portion of a property that houses multiple street addresses.

As is clear from the mechanic's lien statute (Va. Code 43-1 and following) that failure to properly name the owner of the property can be fatal to the lien, getting this preliminary question answered correctly is key.

Because even the seemingly simplest of commercial construction projects can have these types of wrinkles, every [Virginia construction lawyer](#) needs to be sure to get a title search performed on the property by a well qualified title examiner. If you, as the attorney, are qualified to do so, then even better. Just make sure that you're thorough and know the recording systems of the county or city clerk's office in the jurisdiction where you plan to record your lien.

In sum, be sure to thoroughly check the title of the land under the project prior to recording a lien, you will be glad you did.

PS- Check out the [ALPS411 blog](#) for my latest post on May 2, 2012.

Image via [Wikipedia](#).

*Please check out my [Construction Law Musings Blog](#) for more on Virginia construction law and other topics.*