



2014 Fifty State Lien Law Notice Requirements



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2014 FIFTY-STATE LIEN LAW NOTICE REQUIREMENTS

This quick reference table describes general time requirements for filing lien notices in each state. The construction practice group at Seyfarth Shaw LLP prepared the survey for use primarily by commercial contractors and real estate developers on non-public projects. Requirements may differ for residential and other contractors. The table does not provide required methods of service or the contents of lien notices, nor does it replace legal advice regarding the prosecution or defense of a lien claim. **The survey shows lien statutes in effect as of October 1, 2013.**

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| ALABAMA ALA. CODE §§ 35-11-1 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Verified Statement of Lien must be filed within 6 months after the last item of work or material furnished</p> <p>Suit must be commenced, and lis pendens notice should be filed, within 6 months after maturity of the entire indebtedness (ordinarily the last day on which labor or materials were furnished)</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Notice of Intent to Claim Lien must be served on owner and construction lender prior to filing verified statement of lien |
| | Claim of Lien | <p>Verified Statement of Lien must be filed within 4 months after last item of work or material furnished</p> <p>Laborers must file a Verified Statement of Lien within 30 days after last item of work furnished</p> <p>Suit must be commenced, and lis pendens notice should be filed, within 6 months after maturity of the entire indebtedness (ordinarily the last day on which labor or materials were furnished)</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Notice of Intent to Claim Lien must be served on owner and construction lender prior to <u>any</u> materials being supplied to the project |
| | Claim of Lien | <p>Verified Statement of Lien must be filed within 4 months after last item of work or material furnished</p> <p>Suit must be commenced, and lis pendens notice should be filed, within 6 months after maturity of the entire indebtedness (ordinarily the last day on which labor or materials were furnished)</p> |

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| ALASKA ALASKA STAT. §§ 34.35.005 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Notice of Right to Lien should be served on owner and filed prior to provision of labor or materials |
| | Claim of Lien | <p>Claim of Lien must be filed within 15 days from Notice of Completion if advance notice of filing Notice of Completion is given</p> <p>Claim of Lien must be filed within 15 days from filing of Notice of Completion if no Notice of Right to Lien filed</p> <p>Claimant who records Notice of Right to Lien has 120 days after either completion of the construction contract or the last day of furnishing goods or services for improvement of the property to record a Claim of Lien</p> <p>Claimant who has given Notice of Right to Lien but otherwise receives no advance notice of the date that the Notice of Completion is to be recorded by the owner has 120 days to record Claim of Lien</p> <p>Suit must be commenced, and lis pendens notice should be filed, within 6 months after claim of lien is recorded</p> |
| SUBCONTRACTOR | | |
| Preliminary Notice | Notice of Right to Lien should be served on owner and filed prior to provision of labor or materials | |

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| | Claim of Lien | <p>Claim of Lien must be filed within 15 days from Notice of Completion if advance notice of filing Notice of Completion is given</p> <p>Claim of Lien must be filed within 15 days from filing of Notice of Completion if no Notice of Right to Lien filed</p> <p>Claimant who records Notice of Right to Lien has 120 days after either completion of the construction contract or the last day of furnishing goods or services for improvement of the property to record a Claim of Lien</p> <p>Claimant who has given Notice of Right to Lien but otherwise receives no advance notice of the date that the Notice of Completion is to be recorded by the owner has 120 days to record Claim of Lien</p> <p>Suit must be commenced, and lis pendens notice should be filed, within 6 months after claim of lien is recorded</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Notice of Right to Lien should be served on owner and filed prior to provision of labor or materials |
| | Claim of Lien | <p>Claim of Lien must be filed within 15 days from Notice of Completion if advance notice of filing Notice of Completion is given</p> <p>Claim of lien must be filed within 15 days from filing of Notice of Completion if no Notice of Right to Lien filed</p> <p>Claimant who records Notice of Right to Lien has 120 days after either completion of the construction contract or the last day of furnishing goods or services for improvement of the property to record a Claim of Lien</p> <p>Claimant who has given Notice of Right to Lien but otherwise receives no advance notice of the date that the Notice of Completion is to be recorded by the owner has 120 days to record Claim of Lien</p> <p>Suit must be commenced, and lis pendens notice should be filed, within 6 months after claim of lien is recorded</p> |

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| ARIZONA ARIZ. REV. STAT. §§ 33-981 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Written notice must be given within 20 days after providing labor, services or materials to Owner, Prime Contractor, and Construction Lender Ariz. Stat. § 33-992.01 |
| | Claim of Lien | Claimant must record Notice and Claim of Lien within the earlier of 60 days after recordation of the Notice of Completion, or within 120 days after completion, and serve on owner within a reasonable time thereafter Action to foreclose mechanics lien must be commenced within 6 months after recording claim of lien; lis pendens notice must be filed within 5 days of filing action |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Written notice must be given within 20 days after providing labor, services or materials to Owner, Prime Contractor, Construction Lender, and person with whom the subcontractor has contracted Ariz. Stat. § 33-992.01 No preliminary notice required for person who is actual laborer for wages |
| | Claim of Lien | Claimant must record Notice and Claim of Lien within the earlier of 60 days after recordation of the Notice of Completion or within 120 days after completion, and serve on owner within a reasonable time thereafter Action to foreclose mechanics lien must be commenced within 6 months after recording claim of lien; lis pendens notice must be filed within 5 days of filing action |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Written notice must be given within 20 days after providing labor, services or materials to Owner, Prime Contractor, Construction Lender, and person with whom the supplier has contracted Ariz. Stat. § 33-992.01 |

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| | Claim of Lien | Claimant must record Notice and Claim of Lien within the earlier of 60 days after recordation of the Notice of Completion or within 120 days after completion, and serve on owner within a reasonable time thereafter Action to foreclose mechanics lien must be commenced within 6 months after recording claim of lien; lis pendens notice must be filed within 5 days of filing action |
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| ARKANSAS Ark. Code Ann. §§ 18-44-101 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Claimant must (for certain residential projects) and should (for commercial projects) provide the statutory notice at § 18-44-115 prior to supplying any materials or fixtures. Notice may be incorporated into contract with Owner Claimant must give at least 10 days notice to owner prior to filing "a just and true account of the demand due and owing" |
| | Claim of Lien | Claimant must file "a just and true account of the demand due and owing," together with an affidavit evidencing compliance with notice provisions, within 120 days after labor or materials furnished Action to enforce lien must be commenced, and a lis pendens notice filed, within 15 months after filing lien |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Claimant must give at least 10 days notice to owner prior to filing "a just and true account of the demand due and owing" No notice required if suit to impress lien filed by claimant within 120 days of the provision of work or materials Written Notice of Nonpayment must be served on owner and contractor within 75 days of the date on which the supplies were provided |
| | Claim of Lien | Claimant must file "a just and true account of the demand due and owing," together with an affidavit evidencing compliance with notice provisions, within 120 days after labor or materials furnished If appropriate notices filed, suit must commence, and a lis pendens notice filed, within 15 months after filing lien |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Claimant must give at least 10 days notice to owner prior to filing "a just and true account of the demand due and owing" No notice required if suit to impress lien filed by claimant within 120 days of the provision of work or materials Written Notice of Nonpayment must be served on owner and contractor within 75 days of the date on which the supplies were provided |
| | Claim of Lien | Claimant must file "a just and true account of the demand due and owing," together with an affidavit evidencing compliance with notice provisions, within 120 days after labor or materials furnished If appropriate notices filed, suit must commence, and a lis pendens notice filed, within 15 months after filing lien |

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| CALIFORNIA Cal. Civ. Code §§ 3082 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Required to give notice only to the construction lender. Also must make name and address of lender available to anyone with a lien right |
| | Claim of Lien | <p>Claim of Lien must be recorded within 60 days of notice of completion or notice of cessation (this period is extended to 90 days after the recordation date if the owner fails to give notice of recordation to the prime contractor) or if neither is filed within 90 days after the completion of work of improvement</p> <p>When a Claim of Lien is recorded, the owner must be served with the mechanic's lien, a notice of mechanic's lien containing statutorily prescribed information, and a proof of service affidavit. § 8416</p> <p>Suit to foreclose lien must be filed within 90 days of the date that the claim of lien is recorded; lis pendens notice must be filed no later than 20 days after filing the action</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | <p>Preliminary 20-day Notice must be filed and served on the project owner, original contractor, and construction lender within 20 days of first provision of material or labor on project</p> <p>Notice filed and served after 20 days is effective for all work done in preceding 20 days and thereafter</p> <p>No preliminary notice required for person who is actual laborer for wages</p> |
| | Claim of Lien | <p>Claim of Lien must be recorded within 30 days of notice of completion or notice of cessation (this period is extended to 90 days after the recordation date if the owner fails to give notice of recordation) or if neither is filed within 90 days after the completion of work of improvement</p> <p>When a Claim of Lien is recorded, the owner must be served with the mechanic's lien, a notice of mechanic's lien containing statutorily prescribed information, and a proof of service affidavit. § 8416</p> <p>Suit to foreclose lien must be filed within 90 days of the date that the claim of lien is recorded; lis pendens notice must be filed no later than 20 days after filing the action</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | <p>Preliminary 20-day Notice must be filed and served on the project owner, original contractor, and construction lender within 20 days of first provision of material or labor on project</p> <p>Notice filed and served after 20 days is effective for all materials supplied in preceding 20 days and thereafter</p> |
| | Claim of Lien | <p>Claim of Lien must be recorded within 30 days of notice of completion or notice of cessation (this period is extended to 90 days after the recordation date if the owner fails to give notice of recordation) or if neither is filed within 90 days after the completion of work of improvement</p> <p>When a Claim of Lien is recorded, the owner must be served with the mechanic's lien, a notice of mechanic's lien containing statutorily prescribed information, and a proof of service affidavit. § 8416</p> <p>Suit to foreclose lien must be filed within 90 days of the date that the claim of lien is recorded; lis pendens notice must be filed no later than 20 days after filing the action</p> |

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| COLORADO Colo. Rev. Stat. §§ 38-22-101 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Notice of Intent to File a Lien Statement (together with a copy of the Lien Statement that will be filed) must be served on owner at least 10 days prior to filing Lien Statement |
| | Claim of Lien | <p>Lien Statement must be filed within 4 months after the day on which the lien claimant last provided labor or materials except that statements "for labor and work by the day or piece, but without furnishing materials therefor" must be filed within 2 months after completion of the building or other improvements</p> <p>Action to foreclose lien and notice of Lis Pendens must be filed within 6 months after completion of the improvement or furnishing of the last labor or materials</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Notice of Intent to File a Lien Statement (together with a copy of the Lien Statement that will be filed) must be served on owner and prime contractor at least 10 days prior to filing Lien Statement |

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| | Claim of Lien | Lien Statement must be filed within 4 months after the day on which the lien claimant last provided labor or materials except that statements "for labor and work by the day or piece, but without furnishing materials therefor" must be filed within 2 months after completion of the building or other improvements Action to foreclose lien and notice of Lis Pendens must be filed within 6 months after completion of the improvement or furnishing of the last labor or materials |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | Notice of Intent to File a Lien Statement (together with a copy of the Lien Statement that will be filed) must be served on owner and prime contractor at least 10 days prior to filing Lien Statement |
| | Claim of Lien | Lien Statement must be filed within 4 months after the day on which the lien claimant last provided labor or materials except that statements "for labor and work by the day or piece, but without furnishing materials therefor" must be filed within 2 months after completion of the building or other improvements Action to foreclose lien and notice of Lis Pendens must be filed within 6 months after completion of the improvement or furnishing of the last labor or materials |

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| CONNECTICUT CONN. GEN. STAT. §§ 49-33 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Prime contractor should file affidavit required by Conn. Gen. Stat. § 49-35 within 15 days of commencing work on the project in order to receive all notices required to be served on owner |
| | Claim of Lien | Certificate of Mechanics Lien must be recorded within 90 days of the last day work was performed on project Within same 90 day period, but no later than 30 days after lien is recorded, a copy of lien must be served on all property owners Action to foreclose mechanics lien must be commenced and Lis Pendens filed within 1 year after recording lien |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Notice of Intent to Lien must be given to the building or property owner and the general contractor after the work has commenced but no later than 90 days after work on the project has ceased. A Notice of Intent to lien need not be given prior to recording a lien and service of the lien certificate itself satisfies notice of lien requirements Notice of intent to lien must state that the claimant has furnished or commenced to furnish materials or services and intends to claim a lien therefor |
| | Claim of Lien | Certificate of Mechanics Lien must be recorded in the land records of the town where the project is located within 90 days of the last day work was performed on project. The 90 days is counted by excluding the last day of work but including the 90th day Within same 90 day period, but no later than 30 days after lien is recorded, a copy of lien must be served on all property owners The entire lien statement must be subscribed and sworn to by the claimant Action to foreclose mechanics lien must be commenced and Lis Pendens filed within 1 year after recording lien |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Subcontractors and other entities that have contracted with subcontractors have lien rights. It is uncertain whether a claimant beyond the second tier possesses lien rights under CT law Notice of Intent to Lien must be given to building or property owner and general contractor after the work has commenced but no later than 90 days after work on the project has ceased. A Notice of Intent to lien need not be given prior to recording a lien and service of the lien certificate itself satisfies notice of lien requirements Notice of intent to lien must state that the claimant has furnished or commenced to furnish materials or services and intends to claim a lien therefor |

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| | Claim of Lien | <p>Certificate of Mechanics Lien must be recorded in the land records of the town where the project is located within 90 days of the last day work was performed on project. The 90 days is counted by excluding the last day of work but including the 90th day</p> <p>Within same 90 day period, but no later than 30 days after lien is recorded, a copy of lien must be served on all property owners</p> <p>The entire lien statement must be subscribed and sworn to by the claimant</p> <p>Action to foreclose mechanics lien must be commenced and Lis Pendens filed within 1 year after recording lien</p> |
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| DELAWARE | PRIME CONTRACTOR | |
| | Preliminary Notice | <p>Contractor must provide list of all persons who have provided labor or materials in connection with the construction within 10 days of request</p> <p>If contractor fails to provide list within 10 days of request, contractor may not avail itself of lien rights, and Owner is not required to pay contractor until the list is furnished</p> |
| | Claim of Lien | Statement of claim must be filed within 180 days following completion of the structure |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | Statement of claim must be filed within 120 days from the date from the completion of the labor performed or from the last delivery of materials furnished by them |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | None |
| Claim of Lien | Statement of claim must be filed within 120 days from the date from the completion of the labor performed or from the last delivery of materials furnished by them | |

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| FLORIDA FLA. Stat. §§ 713.001 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | <p>Contractor must provide list of all persons who have provided labor or materials in connection with the construction within 10 days of request</p> <p>If contractor fails to provide list within 10 days of request, contractor may not avail itself of lien rights to the extent the Owner is prejudiced</p> |
| | Claim of Lien | <p>Contractor must file a claim of lien within 90 days of the last work performed on the job site and serve it on the owner within 15 days after filing</p> <p>Contractor must execute and deliver to owner a final contractor's affidavit at least 5 days before instituting a lien foreclosure</p> <p>Action to foreclose lien must be commenced within 1 year after the claim of lien was filed</p> <p>If notice of contest of lien is recorded by owner, action must be instituted within 60 days, or if summons to show cause is received, within 20 days</p> |
| | SUBCONTRACTOR | |
| Preliminary Notice | <p>Claimant must serve the owner with Notice to Owner within earlier of :</p> <p>(1) 45 days after first commencing to furnish services or materials or within 45 days of commencing to make "specially fabricated materials" or</p> <p>(2) Before the date of the owner's final payment under the owner's contract with the contractor who furnished the affidavit stating that all lienors under it have been paid</p> <p>Subcontractors must record lien within 90 days of the last work performed and serve copy on owner within 15 days thereafter</p> <p>Sub-subcontractor must serve notices on others designated by owner including Notice to Owner filed within the earlier of :</p> <p>(1) 45 days after first commencing to furnish services or materials; or</p> <p>(2) before final payment to the subcontractor through whom the sub-subcontractor is working</p> | |

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| | Claim of Lien | <p>Laborer must file a claim of lien within 90 days of the last work performed on the job site and serve it on the owner within 15 days after filing it</p> <p>Action to foreclose lien must be commenced within 1 year after the claim of lien was filed</p> <p>If notice of contest of lien is recorded by owner, action must be instituted within 60 days, or if summons to show cause is received, within 20 days</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | <p>Materialmen dealing directly with owner must follow the same notice and lien procedures as the prime contractor except no Final contractor's Affidavit is required before foreclosing a lien</p> <p>Materialmen dealing directly with Prime Contractor should follow notice and lien procedures of a subcontractor</p> <p>Materialmen dealing with subcontractor should follow notice and lien procedures for sub-subcontractors</p> |
| | Claim of Lien | <p>Action to foreclose lien must be commenced within 1 year after the claim of lien was filed</p> <p>If notice of contest of lien is recorded by owner, action must be instituted within 60 days, or if summons to show cause is received, within 20 days</p> |

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| <p>GEORGIA</p> <p>Ga. Code Ann. §§ 44-14-360 et seq.</p> | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Claimant must record a claim of lien within 90 days after last furnishing labor, services, or materials, and the claimant must be in substantial compliance with its contract</p> <p>The claim of lien shall be in substance as follows: "A.B., a mechanic, contractor, subcontractor, materialman, machinist, manufacturer, registered architect, registered forester, registered land surveyor, registered professional engineer, or other person (as the case may be) claims a lien in the amount of (specify the amount claimed) on the house, factory, mill, machinery, or railroad (as the case may be) and the premises or real estate on which it is erected or built, of C.D. (describing the houses, premises, real estate, or railroad), for satisfaction of a claim which became due on (specify the date the claim was due, which is the same as the last date the labor, services, or materials were supplied to the premises) for building, repairing, improving, or furnishing material (or whatever the claim may be)." The lien must include on its face the following statement in at least 12 point bold font: "This claim of lien expires and is void 395 days from the date of filing of the claim of lien if no notice of commencement of lien action is filed in that time period"</p> <p>Within 2 business days of recording the lien, the claimant must send a copy of the claim of lien by registered or certified mail or statutory overnight delivery to the owner of the real property (if on file with the Secretary of State's Corporations Division, the entity's address or registered agent's address satisfies the requirement)</p> <p>Claimant must commence an action for recovery of the lien claim within 365 days of filing the lien. If the owner files a notice of contest of lien, then the claimant must commence the lien action within 60 days after receipt of the notice of contest of lien</p> <p>Within 30 days of filing suit claimant must file a sworn notice of commencement of the suit in the property records of the county where the claim of lien is filed</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | If owner complies with the Notice of Commencement requirement (which must be filed no later than 15 days after contractor physically commences work on the property), subcontractors and suppliers not in privity with the owner must provide a Notice to Contractor to the owner or agent of the owner and the contractor within 30 days from the filing of the Notice of Commencement, or 30 days following the first delivery of labor, services, or materials to the property, whichever is later |

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| <p>Claim of Lien</p> | <p>Claimant must record a claim of lien within 90 days after last furnishing labor, services, or materials, and the claimant must be in substantial compliance with its contract</p> <p>The claim of lien shall be in substance as follows: "A.B., a mechanic, contractor, subcontractor, materialman, machinist, manufacturer, registered architect, registered forester, registered land surveyor, registered professional engineer, or other person (as the case may be) claims a lien in the amount of (specify the amount claimed) on the house, factory, mill, machinery, or railroad (as the case may be) and the premises or real estate on which it is erected or built, of C.D. (describing the houses, premises, real estate, or railroad), for satisfaction of a claim which became due on (specify the date the claim was due, which is the same as the last date the labor, services, or materials were supplied to the premises) for building, repairing, improving, or furnishing material (or whatever the claim may be)." The lien must include on its face the following statement in at least 12 point bold font: "This claim of lien expires and is void 395 days from the date of filing of the claim of lien if no notice of commencement of lien action is filed in that time period"</p> <p>Within 2 business days of recording the lien, the claimant must send a copy of the claim of lien by registered or certified mail or statutory overnight delivery to the owner of the real property (if on file with the Secretary of State's Corporations Division, the entity's address or registered agent's address satisfies the requirement) . If the owner complies with the Notice of Commencement requirement, then within 2 business days of recording the lien, the claimant also must send a copy of the claim of lien by registered or certified mail or statutory overnight delivery to the contractor at the address shown on the Notice of Commencement</p> <p>Claimant must commence an action for recovery of the lien claim within 365 days of filing the lien. If the owner or contractor files a notice of contest of lien, then the claimant must commence the lien action within 60 days after receipt of the notice of contest of lien</p> <p>Within 30 days of filing suit claimant must file a sworn notice of commencement of the suit in the property records of the county where the claim of lien is filed</p> |
| <p>MATERIAL SUPPLIER</p> | |
| <p>Preliminary Notice</p> | <p>If owner complies with the Notice of Commencement requirement (which must be filed no later than 15 days after contractor physically commences work on the property), subcontractors and suppliers not in privity with the owner must provide a Notice to Contractor to the owner or agent of the owner and the contractor within 30 days from the filing of the Notice of Commencement, or 30 days following the first delivery of labor, services, or materials to the property, whichever is later</p> |

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| | <p>Claim of Lien Claimant must record a claim of lien within 90 days after last furnishing labor, services, or materials, and the claimant must be in substantial compliance with its contract</p> <p>The claim of lien shall be in substance as follows: "A.B., a mechanic, contractor, subcontractor, materialman, machinist, manufacturer, registered architect, registered forester, registered land surveyor, registered professional engineer, or other person (as the case may be) claims a lien in the amount of (specify the amount claimed) on the house, factory, mill, machinery, or railroad (as the case may be) and the premises or real estate on which it is erected or built, of C.D. (describing the houses, premises, real estate, or railroad), for satisfaction of a claim which became due on (specify the date the claim was due, which is the same as the last date the labor, services, or materials were supplied to the premises) for building, repairing, improving, or furnishing material (or whatever the claim may be)." The lien must include on its face the following statement in at least 12 point bold font: "This claim of lien expires and is void 395 days from the date of filing of the claim of lien if no notice of commencement of lien action is filed in that time period"</p> <p>Within 2 business days of recording the lien, the claimant must send a copy of the claim of lien by registered or certified mail or statutory overnight delivery to the owner of the real property (if on file with the Secretary of State's Corporations Division, the entity's address or registered agent's address satisfies the requirement) . If the owner complies with the Notice of Commencement requirement, then within 2 business days of recording the lien, the claimant also must send a copy of the claim of lien by registered or certified mail or statutory overnight delivery to the contractor at the address shown on the Notice of Commencement</p> <p>Claimant must commence an action for recovery of the lien claim within 365 days of filing the lien. If the owner or contractor files a notice of contest of lien, then the claimant must commence the lien action within 60 days after receipt of the notice of contest of lien</p> <p>Within 30 days of filing suit claimant must file a sworn notice of commencement of the suit in the property records of the county where the claim of lien is filed</p> |
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| <p>HAWAII</p> <p>Haw. Rev. Stat. §§ 507-42 et seq.</p> | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Application for a Lien and Notice of Lien must be filed and served on the owner and any person with an interest therein and on parties who contracted for the improvement of the property or any person with an interest therein. The Application and Notice must be filed within 45 days after the date of completion of improvements</p> <p>Court will hold a hearing to determine if probable cause exists for the lien within 3 to 10 days after service of Application and Notice</p> <p>If court finds probable cause for lien, lien will attach to property and action to enforce lien must be brought within 3 months thereafter</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Application for a Lien and Notice of Lien must be filed and served on the owner and any person with an interest therein and on parties who contracted for the improvement of the property or any person with an interest therein. The Application and Notice must be filed within 45 days after the date of completion of improvements</p> <p>Court will hold a hearing to determine if probable cause exists for the lien within 3 to 10 days after service of Application and Notice</p> <p>If court finds probable cause for lien, lien will attach to property and action to enforce lien must be brought within 3 months thereafter</p> |

| HAWAII <i>et seq.</i> | MATERIAL SUPPLIER | |
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| | Preliminary Notice | None |
| | Claim of Lien | <p>Application for a Lien and Notice of Lien must be filed and served on the owner and any person with an interest therein and on parties who contracted for the improvement of the property or any person with an interest therein. The Application and Notice must be filed within 45 days after the date of completion of improvements</p> <p>Court will hold a hearing to determine if probable cause exists for the lien within 3 to 10 days after service of Application and Notice</p> <p>If court finds probable cause for lien, lien will attach to property and action to enforce lien must be brought within 3 months thereafter</p> |

| IDAHO Idaho Code §§ 45-501 <i>et seq.</i> | PRIME CONTRACTOR | |
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| | Preliminary Notice | None |
| | Claim of Lien | <p>Claim of lien must be filed with the county recorder for the county in which the property is located within 90 days after the completion or cessation of labor or services or furnishing of materials for any cause</p> <p>A true and correct copy of the claim of lien must be served on the owner of the property no later than 5 business days following the filing of the claim of lien</p> <p>Claimant must initiate foreclosure action within 6 months of filing lien; <i>lis pendens</i> should also be filed</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Claim of lien must be filed with the county recorder for the county in which the property is located within 90 days after the completion or cessation of labor or services or furnishing of materials for any cause</p> <p>A true and correct copy of the claim of lien must be served on the owner of the property no later than 5 business days following the filing of the claim of lien</p> <p>Claimant must initiate foreclosure action within 6 months of filing lien; <i>lis pendens</i> should also be filed</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Claim of lien must be filed with the county recorder for the county in which the property is located within 90 days after the completion or cessation of labor or services or furnishing of materials for any cause</p> <p>A true and correct copy of the claim of lien must be served on the owner of the property no later than 5 business days following the filing of the claim of lien</p> <p>Claimant must initiate foreclosure action within 6 months of filing lien; <i>lis pendens</i> should also be filed</p> |

| ILLINOIS 770 ILCS 60/0.01 <i>et seq.</i> | PRIME CONTRACTOR | |
|---|--------------------|---|
| | Preliminary Notice | None |
| | Claim of Lien | <p>Verified claim for mechanics lien must be recorded within 4 months after completion of the work to prevail over the owner and third parties; contractor may prevail over the original owner if lien is recorded within 2 years after completion</p> <p>Contractor for improvements to a single family, owner-occupied residence also must give the owner written notice within 10 days after recording a lien against any property of the owner</p> <p>An action to enforce the mechanics lien must be filed (and a <i>lis pendens</i> notice) within 2 years after the completion of the work, or within 30 days after the owner (or other interested party) makes a demand against the lien claimant that suit be filed</p> |

| SUBCONTRACTOR | |
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| Preliminary Notice | <p>Subcontractor may at any time after entering into contract serve a written notice of the claim and the amount to become due on the owner or its agent or architect, or superintendent, and the lending agency</p> <p>Subcontractor supplying services or materials to a single family, owner-occupied residence must notify the occupant that it is supplying labor or materials within 60 days from the date of first supplying labor or materials</p> |
| Claim of Lien | <p>Subcontractor must, within 90 days after completion of the work, serve a written notice of the claim on the owner or its agent or architect, or superintendent, and the lending agency</p> <p>Verified claim for mechanics lien must be recorded within 4 months after completion of the work to prevail over the owner and third parties; subcontractor may prevail over the original owner if lien is recorded within 2 years after completion</p> <p>An action to enforce the mechanics lien must be filed (and a <i>lis pendens</i> notice) within 2 years after the completion of the work, or within 30 days after the owner (or other interested party) makes a demand against the lien claimant that suit be filed</p> |
| MATERIAL SUPPLIER | |
| Preliminary Notice | <p>Materialman may at any time after entering into contract serve a written notice of the claim and the amount to become due on the owner or its agent or architect, or superintendent, and the lending agency</p> <p>Materialman supplying materials to a single family, owner-occupied residence must notify the occupant that it is supplying labor or materials within 60 days from the date of first supplying labor or materials</p> |
| Claim of Lien | <p>Materialman must, within 90 days after providing the materials, serve a written notice of the claim on the owner or its agent or architect, or superintendent, and the lending agency</p> <p>Verified claim for mechanics lien must be recorded within 4 months after completion of the work to prevail over the owner and third parties; materialman may prevail over the original owner if lien is recorded within 2 years after completion</p> <p>An action to enforce the mechanics lien must be filed (and a <i>lis pendens</i> notice) within 2 years after the completion of the work, or within 30 days after the owner (or other interested party) makes a demand against the lien claimant that suit be filed</p> |

| INDIANA ind. Code §§ 32-28-3-1 et seq. | PRIME CONTRACTOR | |
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| | Preliminary Notice | None, except for special rules for owner occupied dwellings |
| | Claim of Lien | <p>Notice of intent to hold a mechanics lien must be filed within 90 days of last performing labor or furnishing material machinery</p> <p>Notice of the lien must be mailed to the owner within 3 days of filing (For residential- see Ind Code § 32-28-3-1 and § 32-28-3-3)</p> <p>Mechanics lien will be barred unless suit is filed within 1 year after notice of intention to hold lien is filed, except when owner gives notice to file suit within 30 days, suit must be filed within 30 days of receipt of notice</p> |
| | SUBCONTRACTOR | |
| Preliminary Notice | None, except for special rules for owner occupied dwellings | |
| Claim of Lien | <p>Notice of intent to hold a mechanics lien must be filed within 90 days of last performing labor or furnishing material machinery</p> <p>Notice of the lien must be mailed to the owner within 3 days of filing (For residential- see Ind Code § 32-28-3-1 and § 32-28-3-3)</p> <p>Mechanics lien will be barred unless suit is filed within 1 year after notice of intention to hold lien is filed, except when owner gives notice to file suit within 30 days, suit must be filed within 30 days of receipt of notice</p> | |

| MATERIAL SUPPLIER | |
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| Preliminary Notice | None, except for special rules for owner occupied dwellings |
| Claim of Lien | <p>Notice of intent to hold a mechanics lien must be filed within 90 days of last performing labor or furnishing material machinery</p> <p>Notice of the lien must be mailed to the owner within 3 days of filing</p> <p>(For residential- see Ind Code § 32-28-3-1 and § 32-28-3-3)</p> <p>Mechanics lien will be barred unless suit is filed within 1 year after notice of intention to hold lien is filed, except when owner gives notice to file suit within 30 days, suit must be filed within 30 days of receipt of notice</p> |

| IOWA Iowa Code §§ 572.1 et seq. | PRIME CONTRACTOR | |
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| | Preliminary Notice | None |
| | Claim of Lien | <p>Verified Mechanics Lien statement must be filed within 2 years and 90 days of the date on which the last material was furnished or labor performed</p> <p>(There is a provision for late filed lien statements under the statute at § 572.10 but this limits claimant's rights)</p> <p>Action to enforce mechanics lien must be commenced within 2 years from the expiration of the 90-day lien filing period</p> <p>If lien holder is served with a written demand of the owner or the owner's agent, the action to enforce the lien must be commenced within 30 days</p> <p>(Special rules apply to owner occupied dwellings)</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Verified Mechanics Lien statement must be filed within 2 years and 90 days of the date on which the last material was furnished or labor performed</p> <p>(There is a provision for late filed lien statements under the statute at § 572.10 but this limits claimant's rights)</p> <p>Action to enforce mechanics lien must be commenced within 2 years from the expiration of the 90-day lien filing period</p> <p>If lien holder is served with a written demand of the owner or the owner's agent, the action to enforce the lien must be commenced within 30 days</p> <p>(Special rules apply to owner occupied dwellings)</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Materialman providing materials to subcontractor must notify prime contractor that it is providing materials within 30 days of first furnishing such materials |
| | Claim of Lien | <p>Verified Mechanics Lien statement must be filed within 2 years and 90 days of the date on which the last material was furnished or labor performed</p> <p>(There is a provision for late filed lien statements under the statute at § 572.10 but this limits claimant's rights)</p> <p>Action to enforce mechanics lien must be commenced within 2 years from the expiration of the 90-day lien filing period</p> <p>If lien holder is served with a written demand of the owner or the owner's agent, the action to enforce the lien must be commenced within 30 days</p> <p>(Special rules apply to owner occupied dwellings)</p> |

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| KANSAS Kan. Stat. Ann. §§ 60-1101 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Verified lien statement must be filed within 4 months of the date materials, equipment, or supplies were last used or consumed or labor was last performed (with opportunity to extend to within 5 months for non-residential property upon filing notice of extension within 4 month period); statement must be served on owner</p> <p>An action to foreclose a mechanics lien must be brought within 1 year from the filing of the lien statement or 1 year from the maturity date of a promissory note attached to the lien statement in lieu of an itemized statement</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Verified lien statement must be filed within 3 months of the date materials, equipment, or supplies were last used or consumed or labor was last performed (with opportunity to extend to within 5 months for non-residential property upon filing notice of extension within 3 month period); statement must be served on owner</p> <p>An action to foreclose a mechanics lien must be brought within 1 year from the filing of the lien statement or 1 year from the maturity date of a promissory note attached to the lien statement in lieu of an itemized statement</p> |
| MATERIAL SUPPLIER | | |
| Preliminary Notice | None | |
| Claim of Lien | <p>Verified lien statement must be filed within 3 months of the date materials, equipment, or supplies were last used or consumed or labor was last performed (with opportunity to extend to within 5 months for non-residential property upon filing notice of extension within 3 month period); statement must be served on owner</p> <p>An action to foreclose a mechanics lien must be brought within 1 year from the filing of the lien statement or 1 year from the maturity date of a promissory note attached to the lien statement in lieu of an itemized statement</p> | |

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| KENTUCKY Ky. Rev. Stat. Ann. §§ 376.010 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Statement of Lien must be filed within 6 months after the last furnishing of labor or material</p> <p>Notice to owner must be given within 7 days of filing Statement of Lien</p> <p>Action to enforce the lien must be brought within 12 months from the day the Statement of Lien was filed with clerk</p> |
| SUBCONTRACTOR | | |
| Preliminary Notice | None | |

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| | Claim of Lien | Statement of Lien must be filed within 6 months after the last furnishing of labor or material Notice to owner must be given within 7 days of filing Statement of Lien Notice to Owner must be given within 75 days of last furnishing labor or material if the contract is for \$1000 or less; and within 120 days of last furnishing labor or material if contract exceeds \$1000 (different rules for owner-occupied dwellings) Action to enforce the lien must be brought within 12 months from the day the Statement of Lien was filed with clerk |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | None |
| | Claim of Lien | Statement of Lien must be filed within 6 months after the last furnishing of labor or material Notice to owner must be given within 7 days of filing Statement of Lien Notice to Owner must be given within 75 days of last furnishing labor or material if the contract is for \$1000 or less; and within 120 days of last furnishing labor or material if contract exceeds \$1000 (different rules for owner-occupied dwellings) Action to enforce the lien must be brought within 12 months from the day the Statement of Lien was filed with clerk |

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| LOUISIANA La. Rev. Stat. Ann. §§ 9:4801 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Written notice of the contract must be filed before the work begins for contracts for more than \$25,000 (signed by owner and contractor) |
| | Claim of Lien | If Contract is over \$25K and notice of contract has been filed: statement of claim must be timely filed within 60 days after owner files a notice of termination Contract under \$25,000 and no notice of contract timely filed: statement of claim must be filed within 60 days of: (1) the filing of a notice of termination; or (2) if no notice of termination is filed, the substantial completion or abandonment of the work Contract over \$25,000 and no notice of contract: no available lien claim Action (and notice of <i>lis pendens</i>) must be commenced within 1 year after the expiration of the 60 day period |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Written notice of the contract should be filed by prime contractor before the work begins |
| | Claim of Lien | If contract is over \$25K and notice of contract has been timely filed: statement of claim must be filed within 30 days after owner and contractor sign and file a notice of acceptance No notice of contract filed: statement of claim must be filed within 60 days of (1) the filing of a notice of termination, or (2) if no notice of termination is filed, the substantial completion or abandonment of the work Action (and notice of <i>lis pendens</i>) must be commenced within one year after the expiration of the 30 or 60 day period |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Written notice of the contract should be filed by the prime contractor before the work begins If notice of contract is recorded, supplier just give notice of nonpayment to the owner and prime contractor within the earlier of (1) the end of the 30 or 60 day period or (2) 75 days from last day of the month in which material was provided |
| | Claim of Lien | If contract over \$25K and notice of contract has been timely filed: statement of claim must be filed within 30 days after owner and contractor sign and file a notice of acceptance No notice of contract filed: statement of claim must be filed within 60 days of (1) the filing of a notice of termination, or (2) if no notice of termination is filed, the substantial completion or abandonment of the work Action (and notice of <i>lis pendens</i>) must be commenced within one year after the expiration of the 30 or 60 day period |

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| MAINE Me. Rev. Stat. Ann. Tit. 10, §§ 3251 et seq. Provisions governing liens for road work and landscaping are governed by MRSA, Title 10, Sec. 3501. | PRIME CONTRACTOR | |
| | Preliminary Notice | A mechanic's lien arises from the moment the first materials, labor, or services are furnished. No pre-work notification or filing is required; however, for a lien to attach, Maine law requires that the labor, materials, or services to be provided "by virtue of a written contract with or by consent of the Owner" |
| | Claim of Lien | Where contractor has a contract directly with the Owner, a lien statement need not be filed with the registry of deeds Action must be commenced in the county in which the property is located within 120 days after the last of the labor or services are performed or labor, material or services are so furnished Action must be filed against the debtor and the owner of the property affected, and all other persons with an interest in the property |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | If a contractor does not have a contract with the owner, it must record a lien statement in the office of the registry of deeds and provide a copy of the recorded statement to the owner(s) via U.S. Mail Lien claim statement must be filed, and a copy thereof sent to the Owner, within 90 days after ceasing labor, furnishing material or performing services Civil action must be filed within 120 days after the last labor, material or services are provided |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | None |
| Claim of Lien | If a contractor does not have a contract with the owner, it must record a lien statement in the office of the registry of deeds and provide a copy of the recorded statement to the owner(s) via U.S. Mail Lien claim statement must be filed, and a copy thereof sent to the Owner, within 90 days after ceasing labor, furnishing material or performing services Civil action must be filed within 120 days after the last labor, material or services are provided | |

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| MARYLAND Md. Code Ann., Real Prop. §§ 9-101 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | Petition to Establish a Mechanics Lien must be instituted within 180 days after the work has been finished or the material furnished Petition to enforce lien must be filed within 1 year after the date upon which the Petition to Establish Lien was filed |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| Claim of Lien | Notice of lien claim must be served on the owner within 120 days after claimant has performed the last work or furnished the last of its materials Petition to Establish a Mechanics Lien must be instituted within 180 days after the work has been finished or the material furnished Petition to enforce lien must be filed within 1 year after the date upon which the Petition to Establish Lien was filed | |

| MATERIAL SUPPLIER | |
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| Preliminary Notice | None |
| Claim of Lien | <p>Notice of lien claim must be served on the owner within 120 days after claimant has performed the last work or furnished the last of its materials</p> <p>Petition to Establish a Mechanics Lien must be instituted within 180 days after the work has been finished or the material furnished</p> <p>Petition to enforce lien must be filed within 1 year after the date upon which the Petition to Establish Lien was filed</p> |

| MASSACHUSETTS | GENERAL/PRIME CONTRACTOR |
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| <p>Mass. Gen. Laws ch. 254, §§ 1 et seq.</p> <p>* Effective July 1, 2011, recent amendments to the Mechanic's Lien Law will (for the first time) extend this statutory remedy to architects, landscape architects, professional engineers, licensed site professionals and land surveyors that are licensed or registered in the Commonwealth*</p> | <p>Notice of contract, in substantially the same form as set forth in section 2, must be filed or recorded in the registry of deeds in the county or registry district where the land lies any time after execution of the written contract but no later than the earliest of: (1) 60 days after filing or recording of the notice of substantial completion under section 2A; (2) 90 days after the filing or recording of the notice of termination under section 2B; or (3) 90 days after the last furnishing of labor and/or materials for the project</p> |
| | <p>A section 8 statement of account setting forth a just and true account of the amount due, minus all just credits, along with the name of the owner and a description of the property must be filed or recorded in the registry of deeds in the county or district where the land lies no later than the earliest of: (1) 90 days after filing or recording of the notice of substantial completion under section 2A; (2) 120 days after the filing or recording of a notice of termination under section 2B; or (3) 120 days after the last day a person, entitled to enforce a lien furnished labor and/or materials or rental equipment, appliances or tools for the project</p> <p>A verified complaint to enforce the lien must be filed in the superior court for the county where the land lies or in the district court where such land lies within 90 days after the filing of the statement of account or the lien will be dissolved. An attested to copy of the complaint must be recorded in the land records for the county where the property is located within 30 days after the complaint is filed in court</p> |
| | SUBCONTRACTOR & MATERIAL |
| | <p>Subcontractors and suppliers must file a notice of contract in substantially the same form as set forth in section 4. Section 4 notice of contract must be filed or recorded in the registry of deeds in the county or district where the land lies at any time after execution of the written contract but no later than the earliest of: (1) 60 days after filing or recording of the notice of substantial completion under Section 2A; (2) 90 days after the filing or recording of the notice of termination under section 2B; or (3) 90 days after the last furnishing of labor and/or materials for the project (actual notice of the filing of the notice of contract must be given to the owner of the real property) (form of notice is more detailed than that required for prime contractor)</p> <p>Subcontractor liens are limited to the amount due general form the owner to the contractor at the time the notice of filing is provided to the owner; unless, within 30 days of the start of subcontractor's performance of obligations, it sends the general contractor a Notice of Identification in the statutorily required form via certified mail</p> |
| | <p>A section 8 statement of account setting forth a just and true account of the amount due, minus all just credits, along with the name of the owner and a description of the property must be filed or recorded in the registry of deeds in the county or district where the land lies no later than the earliest of: (1) 90 days after filing or recording of the notice of substantial completion under section 2A; (2) 120 days after the filing or recording of a notice of termination under section 2B; or (3) 120 days after the last day a person, entitled to enforce a lien furnished labor and/or materials or rental equipment, appliances or tools for the project</p> <p>A verified complaint to enforce the lien must be filed in the superior court for the county where the land lies or in the district court where such land lies within 90 days after the filing of the statement of account or the lien will be dissolved. An attested to copy of the complaint must be recorded in the land records for the county where the property is located within 30 days after the complaint is filed in court</p> |

ARCHITECT/ENGINEER

To avoid significant limitations on the amounts of their liens, lower tier subcontractors and suppliers, or subcontractors or suppliers with no direct contractual relationship with the prime contractor, must provide a notice of identification to the prime contractor within **30 days** of commencing their work

Subcontractors and suppliers must file a notice of contract in substantially the same form as set forth in section 4. Section 4 notice of contract must be filed or recorded in the registry of deeds in the county or district where the land lies at any time after execution of the written contract but no later than the earliest of: (1) **60 days** after filing or recording of the notice of substantial completion under Section 2A; (2) **90 days** after the filing or recording of the notice of termination under section 2B; or (3) **90 days** after the last furnishing of labor and/or materials for the project (actual notice of the filing of the notice of contract must be given to the owner of the real property) (form of notice is more detailed than that required for prime contractor)

Supplier liens are limited to the amount due from the owner to the general contractor at the time the notice of filing is provided to the owner; unless, within 30 days of the start of supplier's performance of obligations, it sends the general contractor a Notice of Identification in the statutorily required form via certified mail

A section 8 statement of account setting forth a just and true account of the amount due, minus all just credits, along with the name of the owner and a description of the property must be filed or recorded in the registry of deeds in the county or district where the land lies no later than the earliest of: (1) **90 days** after filing or recording of the notice of substantial completion under section 2A; (2) **120 days** after the filing or recording of a notice of termination under section 2B; or (3) **120 days** after the last day a person, entitled to enforce a lien furnished labor and/or materials or rental equipment, appliances or tools for the project

A verified complaint to enforce the lien must be filed in the superior court for the county where the land lies or in the district court where such land lies within **90 days** after the filing of the statement of account or the lien will be dissolved. An attested to copy of the complaint must be recorded in the land records for the county where the property is located within **30 days** after the complaint is filed in court

MICHIGAN

M.C.L.A. §§ 570.1101 et seq.

PRIME CONTRACTOR

Preliminary Notice Contractor must provide sworn statement listing its subcontractors and suppliers, type of improvement each provided, all unpaid laborers, the amounts paid and owing to each party listed (must be provided to owner upon demand or upon payment request; list must be provided or subsequent liens cannot be filed to enforce lien and payment by owner on contract not required)

Claim of Lien Claim of lien must be filed within **90 days** of last furnishing labor or material for improvement
 Claim of lien must be served on owner's designee within **15 days** after recording lien
 Action to enforce lien must be brought within **1 year** from recording the claim of lien; must also record Notice of *Lis Pendens*

SUBCONTRACTOR

Preliminary Notice Notice of furnishing must be provided by subcontractor or supplier to owner and prime contractor within **20 days** after furnishing the first labor or material, while laborer has **30 days** after wages were contractually due but not paid to serve notice, or by 5th day of the 2nd month following the month in which fringe benefits or withholdings from wages were contractually due but not paid
 Subcontractor must provide sworn statement listing its subcontractors and suppliers, type of improvement each provided, all unpaid laborers, the amounts paid and owing to each party listed (must be provided to owner upon demand or upon payment request; list must be provided or subsequent liens cannot be filed to enforce lien and payment by owner on contract not required)

Claim of Lien Claim of lien must be filed within **90 days** of last furnishing labor or material for improvement
 Claim of lien must be served on owner's designee within **15 days** after recording lien
 Action to enforce lien must be brought within **1 year** from recording the claim of lien; must also record Notice of *Lis Pendens*

MATERIAL SUPPLIER

Preliminary Notice Notice of furnishing must be provided by subcontractor or supplier to owner and prime contractor within **20 days** after furnishing the first labor or material

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| | Claim of Lien | Claim of lien must be filed within 90 days of last furnishing labor or material for improvement Claim of lien must be served on owner's designee within 15 days after recording lien Action to enforce lien must be brought within 1 year from recording the claim of lien; must also record Notice of <i>Lis Pendens</i> |
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| MINNESOTA Minn. Stat. §§ 514.01 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Very complicated pre-lien notice re-quired to be included in the contract or, if no written contract, served on owner within 10 days after the work or improvement is agreed upon if construction on non-commercial building or commercial building of 5000 square feet or less (see Minn. Stat. § 514.011 for specifics) |
| | Claim of Lien | Mechanics lien statement must be filed and served on the owner and owner's agent within 120 days of last furnishing labor or material for improvement Action to foreclose lien must be filed within 1 year of last furnishing labor, skill or material for improvement; lis pendens should also be filed |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Very complicated pre-lien notice re-quired; notice to owner should be pro-vided immediately but must be served within 45 days of first providing labor, skill or material if construction on non-commercial building or commercial building of 5000 square feet or less (see Minn. Stat. § 514.011 for specifics) |
| | Claim of Lien | Mechanics lien statement must be filed and served on the owner, owner's agent and prime contractor within 120 days of last furnishing labor or material for improvement Action to foreclose lien must be filed within 1 year of last furnishing labor, skill or material for improvement; lis pendens should also be filed |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Very complicated pre-lien notice re-quired; notice to owner should be pro-vided immediately but must be served within 45 days of first providing labor, skill or material if construction on non-commercial building or commercial building of 5000 square feet or less (see Minn. Stat. § 514.011 for specifics) |
| Claim of Lien | Mechanics lien statement must be filed and served on the owner, owner's agent and the person with whom the supplier contracted within 120 days of last furnishing labor or material for improvement Action to foreclose lien must be filed within 1 year of last furnishing labor, skill or material for improvement; lis pendens should also be filed | |

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| MISSISSIPPI Miss. Code Ann. §§ 85-7-131 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | Lawsuit to enforce the lien must be filed within 12 months of the date when the indebtedness secured by the lien became due and payable to the lienor Liens are not effective until a notation is made in the Notice of Construction Liens book in the office of the chancery clerk; Notice of lis pendens should also be filed |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| Claim of Lien | Lawsuit to enforce the lien must be filed within 12 months of the date when the indebtedness secured by the lien became due and payable to the lienor Liens are not effective until a notation is made in the Notice of Construction Liens book in the office of the chancery clerk; Notice of lis pendens should also be filed Only subcontractors with a direct contractual relationship with the owner have lien rights in Miss. Lien protection has recently been expanded to include rental and lease equipment suppliers | |

| MATERIAL SUPPLIER | |
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| Preliminary Notice | None |
| Claim of Lien | <p>Lawsuit to enforce the lien must be filed within 12 months of the date when the indebtedness secured by the lien became due and payable to the lienor</p> <p>Liens are not effective until a notation is made in the Notice of Construction Liens book in the office of the chancery clerk; Notice of lis pendens should also be filed</p> <p>Only material suppliers with a direct contractual relationship with the owner have lien rights in Miss. Lien protection has recently been expanded to include rental and lease equipment suppliers</p> |

| MISSOURI | PRIME CONTRACTOR | |
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| Mo. Rev. Stat. §§ 429.010 et. seq. | Preliminary Notice | <p>Disclosure notice with specific statutory language required to be served on owner prior to first payment</p> <p>(Special rules apply to owner-occupied residential property)</p> |
| | Claim of Lien | <p>Lien statement must be filed within 6 months after the indebtedness has accrued</p> <p>Suit to foreclose mechanics lien must be commenced within 6 months after the filing of the statement</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Notice must be given to the owner at least 10 days prior to filing a lien statement |
| | Claim of Lien | <p>Lien statement must be filed within 6 months after the indebtedness has accrued</p> <p>Suit to foreclose mechanics lien must be commenced within 6 months after the filing of the statement</p> |
| | MATERIAL SUPPLIER | |
| Preliminary Notice | Notice must be given to the owner at least 10 days prior to filing a lien statement | |
| Claim of Lien | <p>Lien statement must be filed within 6 months after the indebtedness has accrued and in the case of rentals, lien statement must be filed within 60 days after last rental day or date rentals are removed from property</p> <p>Suit to foreclose mechanics lien must be commenced within 6 months after the filing of the statement</p> | |

| MONTANA | PRIME CONTRACTOR | |
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| Mont. Code Ann. §§ 71-3-521 et seq. | Preliminary Notice | <p>Notice of right to claim lien must be served on the owner no later than 20 days after first provision of services or materials to the contracting owner and same must be filed with the clerk and recorder for the county where property is located within 5 business days of notice to the owner (prime contractor may fall within statutory exception for notice- see Mont. Code Ann. § 71-3-531)</p> <p>Prime contractor must provide pro-perty description and name and address of owner within 5 business days to subcontractor or material supplier upon request</p> |
| | Claim of Lien | <p>Lien must be filed not later than 90 days after the last provision of services or materials to the project (or the owner files a notice of completion); and the lien is filed with the county clerk and recorder of the county in which the improved real estate is located;and notice of the lien must be served on the owner of the property (see Mont. Code Ann. § 71-3-534 for time restrictions)</p> <p>Actions to foreclose on a lien must be brought within 2 years from the date of filing the lien</p> |

| SUBCONTRACTOR | |
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| Preliminary Notice | Notice of right to claim lien must be served on the owner no later than 20 days after first provision of services or materials to the contracting owner and same must be filed with the clerk and recorder for the county where property is located within 5 business days of notice to the owner |
| Claim of Lien | Lien must be filed not later than 90 days after the last provision of services or materials to the project (or the owner files a notice of completion); and the lien is filed with the county clerk and recorder of the county in which the improved real estate is located; and notice of the lien must be served on the owner of the property (see Mont. Code Ann. § 71-3-534 for time restrictions) Actions to foreclose on a lien must be brought within 2 years from the date of filing the lien |
| MATERIAL SUPPLIER | |
| Preliminary Notice | Notice of right to claim lien must be served on the owner no later than 20 days after first provision of services or materials to the contracting owner and same must be filed with the clerk and recorder for the county where property is located within 5 business days of notice to the owner |
| Claim of Lien | Lien must be filed not later than 90 days after the last provision of services or materials to the project (or the owner files a notice of completion); and the lien is filed with the county clerk and recorder of the county in which the improved real estate is located; and notice of the lien must be served on the owner of the property (see Mont. Code Ann. § 71-3-534 for time restrictions) Actions to foreclose on a lien must be brought within 2 years from the date of filing the lien |

| NEBRASKA | PRIME CONTRACTOR |
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| Neb. Rev. Stat. §§ 52-125 et seq. | Preliminary Notice |
| | Claim of Lien |
| | SUBCONTRACTOR |
| | Preliminary Notice |
| | Claim of Lien |
| | MATERIAL SUPPLIER |
| | Preliminary Notice |

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| | Claim of Lien | <p>Lien must be recorded no later than 120 days after final furnishing of services or materials and claimant must send the owner a copy thereof within 10 days of recording</p> <p>Claimant must serve Owner with a copy of the recorded lien within 10 days after recording the lien</p> <p>Lien is enforceable for 2 years after the date of recording</p> <p>If a demand upon claimant to institute legal proceedings is given and recorded by the owner, claimant must commence legal action within 30 days after receipt of same or record an affidavit that the total contract price is not yet due</p> <p>Note that if there is a valid surety bond on the project, there are no lien rights for any claimant-see Section 52-141 for bond claim deadlines</p> |
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| <p>NEVADA</p> <p>Nev. Rev. Stat. §§ 108.221 et seq.</p> | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Notice of claim of lien must be recorded within 90 days of the later of (a) last provision of materials or labor or (b) completion of the work of improvement</p> <p>A copy of the recorded notice of lien must be served on owner within 30 days</p> <p>If notice of completion is recorded by owner (may be recorded at any time after completion) the lien must be recorded within 40 days of recording the notice</p> <p>Claim of lien, once filed, must be served on owner within 30 days of recording the lien</p> <p>Suit to foreclose the lien must be filed after 30 days have elapsed since the recording of the lien but before the lapse of 6 months of recording the lien</p> <p>Lis pendens shall also be filed contemporaneously with the lawsuit, served on other lienholders, and notice of suit must be published in a newspaper once a week for three successive weeks</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | <p>Notice to owner, with a copy to the prime contractor, of materials supplied or work or services performed must be served on the owner anytime after the first delivery of material or performance of the work or services. Any notice served after 31 days of first supplying work or services limits recovery to work or services performed in the 31 days before notice was given through completion of the project</p> |
| | Claim of Lien | <p>Notice of claim of lien must be recorded within 90 days of the later of (a) last provision of materials or labor or (b) completion of the work of improvement</p> <p>A copy of the recorded notice of lien must be served on owner within 30 days</p> <p>If notice of completion is recorded by owner (may be recorded at any time after completion) the lien must be recorded within 40 days of recording the notice</p> <p>Claim of lien, once filed, must be served on owner within 30 days of recording the lien</p> <p>Suit to foreclose the lien must be filed after 30 days have elapsed since the recording of the lien but before the lapse of 6 months of recording the lien</p> <p>Lis pendens shall also be filed contemporaneously with the lawsuit, served on other lienholders, and notice of suit must be published in a newspaper once a week for three successive weeks</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | <p>Notice to owner, with a copy to the prime contractor, of materials supplied or work or services performed must be served on the owner anytime after the first delivery of material or performance of the work or services. Any notice served after 31 days of first supplying work or services limits recovery to work or services performed in the 31 days before notice was given through completion of the project. A copy of the notice must be served on the prime contractor</p> |

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| | <p>Claim of Lien Notice of claim of lien must be recorded within 90 days of the later of (a) last provision of materials or labor or (b) completion of the work of improvement</p> <p>A copy of the recorded notice of lien must be served on owner within 30 days</p> <p>If notice of completion is recorded by owner (may be recorded at any time after completion) the lien must be recorded within 40 days of recording the notice</p> <p>Claim of lien, once filed, must be served on owner within 30 days of recording the lien</p> <p>Suit to foreclose the lien must be filed after 30 days have elapsed since the recording of the lien but before the lapse of 6 months of recording the lien</p> <p>Lis pendens shall also be filed contemporaneously with the lawsuit, served on other lienholders, and notice of suit must be published in a newspaper once a week for three successive weeks</p> |
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| <p>NEW HAMPSHIRE</p> <p>N.H. Rev. Stat. Ann. §§ 447:1 et seq.</p> | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | Lien created by statute must be perfected by complex writ system within 120 days of last provision of labor or materials |
| | SUBCONTRACTOR | |
| | Preliminary Notice | For maximum lien rights, notice of right to claim lien must be served on owner prior to the provision of materials or labor For maximum lien rights, an account of labor and materials provided must be served on owner every 30 days |
| | Claim of Lien | Lien created by statute must be perfected by complex writ system within 120 days of last provision of labor or materials |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | For maximum lien rights, notice of right to claim lien must be served on owner prior to the provision of materials or labor For maximum lien rights, an account of labor and materials provided must be served on owner every 30 days |
| | Claim of Lien | Lien created by statute must be perfected by complex writ system within 120 days of last provision of labor or materials |

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| <p>NEW JERSEY</p> <p>N.J. Stat. Ann. §§ 2A:44A-1 et seq.</p> | PRIME CONTRACTOR | |
| | <p>Preliminary Notice</p> | <p>None on commercial jobs; although the filing of a Notice of Unpaid Balance and Right to file Lien is recommended to preserve priority</p> <p>As a condition precedent to the filing of a lien arising under a residential construction contract, a lien claimant shall first lodge for record a Notice of Unpaid Balance and Right to File Lien within 60 days following the last date that work, services, material or equipment were provided for which payment is claimed</p> <p>The Notice of Unpaid Balance and Right to File Lien must be served on owner within 10 calendar days following its lodging for record</p> <p>Unless the parties otherwise agreed in writing to an alternative dispute resolution mechanism, within 10 days from the date the Notice of Unpaid Balance and Right to File Lien is lodged for record, the lien claimant shall also file and serve a demand for arbitration in compliance with §2A:44A-21</p> <p>If required in a contract or upon written request from an owner, the contractor shall within 10 days provide the owner with a verified list of subcontractors and suppliers</p> |
| | <p>Claim of Lien</p> | <p>For non-residential construction projects, lien claim must be lodged for record within 90 days following the date the last work, services, material or equipment was provided for which payment is claimed</p> <p>For residential construction (which can include condominiums, housing cooperatives and mixed-use developments), lien claim must be lodged for record (as required by 2A:44A-21(b)(8)), not later than 10 days after receipt by the claimant of the arbitrator's determination, and within 120 days following the date the last work, services, material or equipment was provided for which payment is claimed</p> <p>Lien must be served on owner within 10 calendar days following lodging for record of a lien claim</p> <p>Action must be commenced:</p> <p>(1) within 1 year of the date of the last provision of work, services, materials, or equipment, payment for which the lien claim was filed; or</p> <p>(2) within 30 days following receipt of written notice from the owner, community association, contractor or subcontractor against whose account a lien claim is filed, requiring the claimant to commence an action to enforce the lien claim. A notice of lis pendens must also be filed</p> |
| | SUBCONTRACTOR | |
| <p>Preliminary Notice</p> | <p>None on commercial jobs; although the filing of a Notice of Unpaid Balance and Right to file Lien is recommended to preserve priority</p> <p>As a condition precedent to the filing of a lien arising under a residential construction contract, a lien claimant shall first lodge for record a Notice of Unpaid Balance and Right to File Lien within 60 days following the last date that work, services, material or equipment were provided for which payment is claimed</p> <p>The Notice of Unpaid Balance and Right to File Lien must be served on owner and contractor within 10 calendar days following its lodging for record</p> <p>Unless the parties otherwise agreed in writing to an alternative dispute resolution mechanism, within 10 days from the date the Notice of Unpaid Balance and Right to File Lien is lodged for record, the lien claimant shall also file and serve a demand for arbitration in compliance with §2A:44A-21</p> <p>If required in a contract or upon written request from the contractor, the subcontractor shall within 10 days provide the contractor with a verified list of subcontractors and suppliers</p> | |

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| | Claim of Lien | <p>For non-residential construction projects, lien claim must be lodged for record within 90 days following the date the last work, services, material or equipment was provided for which payment is claimed.</p> <p>For residential construction (which can include condominiums, housing cooperatives and mixed-use developments), lien claim must be lodged for record (as required by 2A:44A-21(b)(8)), not later than 10 days after receipt by the claimant of the arbitrator's determination, and within 120 days following the date the last work, services, material or equipment was provided for which payment is claimed.</p> <p>Lien must be served on owner and contractor within 10 calendar days following lodging for record of a lien claim.</p> <p>Action must be commenced:</p> <p>(1) within 1 year of the date of the last provision of work, services, materials, or equipment, payment for which the lien claim was filed; or</p> <p>(2) within 30 days following receipt of written notice from the owner, community association, contractor or subcontractor against whose account a lien claim is filed, requiring the claimant to commence an action to enforce the lien claim. A notice of lis pendens must also be filed</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | <p>None on commercial jobs; although the filing of a Notice of Unpaid Balance and Right to file Lien is recommended to preserve priority</p> <p>As a condition precedent to the filing of a lien arising under a residential construction contract, a lien claimant shall first lodge for record a Notice of Unpaid Balance and Right to File Lien within 60 days following the last date that work, services, material or equipment were provided for which payment is claimed</p> <p>The Notice of Unpaid Balance and Right to File Lien must be served on owner, contractor and person with whom the supplier has contracted within 10 calendar days following its lodging for record</p> <p>Unless the parties otherwise agreed in writing to an alternative dispute resolution mechanism, within 10 days from the date the Notice of Unpaid Balance and Right to File Lien is lodged for record, the lien claimant shall also file and serve a demand for arbitration in compliance with §2A:44A-21</p> <p>If required in a contract or upon written request from the contractor, the subcontractor shall within 10 days provide the contractor with a verified list of subcontractors and suppliers</p> |
| | Claim of Lien | <p>For non-residential construction projects, lien claim must be lodged for record within 90 days following the date the last work, services, material or equipment was provided for which payment is claimed</p> <p>For residential construction (which can include condominiums, housing cooperatives and mixed-use developments), lien claim must be lodged for record (as required by 2A:44A-21(b)(8)), not later than 10 days after receipt by the claimant of the arbitrator's determination, and within 120 days following the date the last work, services, material or equipment was provided for which payment is claimed</p> <p>Lien must be served on owner, contractor and person with whom the supplier has contracted within 10 calendar days following lodging for record of a lien claim</p> <p>Action must be commenced:</p> <p>(1) within 1 year of the date of the last provision of work, services, materials, or equipment, payment for which the lien claim was filed; or</p> <p>(2) within 30 days following receipt of written notice from the owner, community association, contractor or subcontractor against whose account a lien claim is filed, requiring the claimant to commence an action to enforce the lien claim. A notice of lis pendens must also be filed</p> |

| NEW MEXICO | | PRIME CONTRACTOR | |
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| N.M. Stat. Ann. §§ 48-2-1 et seq. | Preliminary Notice | None | |
| | Claim of Lien | Claim of lien must be filed within 120 days after the completion of the contract Action to enforce lien must be filed within 2 years after filing of the lien | |
| | SUBCONTRACTOR | | |
| | Preliminary Notice | Within 60 days of initially providing work or materials to the project if lien for over \$5,000 (different notice rules apply to residential projects), sub-subcontractor must provide notice of intent to claim a lien in the event of nonpayment | |
| | Claim of Lien | Claim of lien must be filed within 90 days after substantial completion of the project. Action to enforce lien must be filed within 2 years after filing of the lien | |
| | MATERIAL SUPPLIER | | |
| Preliminary Notice | Within 60 days of initially providing work or materials to the project if lien for over \$5,000 (different notice rules apply to residential projects), material supplier to subcontractor must provide notice of intent to claim a lien in the event of nonpayment | | |
| Claim of Lien | Claim of lien must be filed within 90 days after substantial completion of the project Action to enforce lien must be filed within 2 years after filing of the lien | | |

| NEW YORK | | PRIME CONTRACTOR | |
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| N.Y. Lien Law §§ 1 et seq. | Preliminary Notice | Notice of lien must be served on owner within 5 days before or 30 days after filing notice of lien with County Clerk and proof of service must be filed with clerk within 35 days after notice was filed | |
| | Claim of Lien | Lien may be filed within 8 months after the last work or materials provided by claimant Foreclosure action must be instituted within 1 year after filing lien; notice of pendency should be filed and served within 30 days after filing | |
| | SUBCONTRACTOR | | |
| | Preliminary Notice | Notice of lien must be served on owner and prime contractor within 5 days before or 30 days after filing notice of lien with County Clerk and proof of service must be filed with clerk within 35 days after notice was filed | |
| | Claim of Lien | Lien may be filed within 8 months after the last work or materials provided by claimant Foreclosure action must be instituted within 1 year after filing lien; notice of pendency should be filed and served within 30 days after filing | |
| | MATERIAL SUPPLIER | | |
| Preliminary Notice | Notice of lien must be served on owner, the prime contractor and whomever supplier contracted with within 5 days before or 30 days after filing notice of lien with County Clerk and proof of service must be filed with clerk within 35 days after notice was filed | | |
| Claim of Lien | Lien may be filed within 8 months after the last work or materials provided by claimant Foreclosure action must be instituted within 1 year after filing lien; notice of pendency should be filed and served within 30 days after filing | | |

| NORTH CAROLINA | | PRIME CONTRACTOR | |
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| N.C. Gen. Stat. §§ 44A-7 et seq. | Preliminary Notice | Provide Notice to Owner's Lien Agent within 15 days after first furnishing labor or materials Provide contact information for Owner's Lien Agent to subcontractors and suppliers Within 30 days following issuance of the building permit, or the date the contractor is awarded the contract, whichever is later, file a Notice of Contract with the clerk of the superior court and post it on the job site to limit lien rights of lower tier subcontractors and suppliers | |
| | Claim of Lien | Claim of lien on real property must be provided to Owner and filed no later than 120 days after the last furnishing of labor or materials by the lien claimant Action to enforce the lien must be commenced no later than 180 days after the last furnishing of labor or materials at the site of improvement by the lien claimant; notice of lis pendens should also be filed | |

| SUBCONTRACTOR | |
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| Preliminary Notice | Provide Notice to Owner's Lien Agent within 15 days after first furnishing labor or materials Provide contact information for Owner's Lien Agent to lower tier subcontractors and suppliers If a Notice of Contract is filed by the prime contractor, then a second and third tier subcontractor must file a Notice of Subcontract |
| Claim of Lien | Lien on funds owed to entity above it: Notice of claim of lien on funds must be served on the obligor. There are no time requirements for enforcing such a lien in the lien statute. Action must be brought against the debtor to enforce the lien Lien on real property: Claim of lien must be provided to Owner and party with whom subcontractor contracted and filed no later than 120 days after the last furnishing of labor or materials by the lien claimant Action to enforce the lien must be commenced no later than 180 days after the last furnishing of labor or materials at the site of improvement by the lien claimant; notice of lis pendens should also be filed |
| MATERIAL SUPPLIER | |
| Preliminary Notice | Provide Notice to Owner's Lien Agent within 15 days after first furnishing labor or materials Provide contact information for Owner's Lien Agent to lower tier subcontractors and suppliers If a Notice of Contract is filed by the prime contractor, then a second and third tier supplier must file a Notice of Subcontract |
| Claim of Lien | Lien on funds owed to entity above it: Notice of claim of lien on funds must be served on the obligor. There are no time requirements for enforcing such a lien in the lien statute. Action must be brought against the debtor to enforce the lien Lien on real property: Claim of lien must be provided to Owner and party with whom supplier contracted and filed no later than 120 days after the last furnishing of labor or materials by the lien claimant Action to enforce the lien must be commenced no later than 180 days after the last furnishing of labor or materials at the site of improvement by the lien claimant; notice of lis pendens should also be filed |

| NORTH DAKOTA | PRIME CONTRACTOR | |
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| N.D. Cent. Code §§ 35-27-01 et seq. | Preliminary Notice | Written notice to owner that a lien will be claimed must be given by certified mail at least 10 days before the recording of the construction lien |
| | Claim of Lien | Lien must be filed with the recorder of the county in which the property to be charged with the lien is situated and served on the owner within 90 days after the claimant's contribution of goods, materials, or services is completed A lien may not be filed more than three years after the date of the first item of material is furnished Notice of intent to enforce lien must be served by registered mail on owner at least 20 days before the action is commenced or 10 days before if owner is personally served Action to enforce lien must be commenced within 3 years after the date of the recording of the lien Upon written notice by the owner or contractor, suit must be commenced within 30 days thereafter or the lien is forfeited |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Written notice to owner that a lien will be claimed must be given by certified mail at least 10 days before the recording of the construction lien |

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| | Claim of Lien | <p>Lien must be filed with the recorder of the county in which the property to be charged with the lien is situated and served on the owner within 90 days after the claimant's contribution of goods, materials, or services is completed</p> <p>A lien may not be filed more than three years after the date of the first item of material is furnished</p> <p>Notice of intent to enforce lien must be served by registered mail on owner at least 20 days before the action is commenced or 10 days before if owner is personally served</p> <p>Action to enforce lien must be commenced within 3 years after the date of the recording of the lien</p> <p>Upon written notice by the owner or contractor, suit must be commenced within 30 days thereafter or the lien is forfeited</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | Written notice to owner that a lien will be claimed must be given by certified mail at least 10 days before the recording of the construction lien |
| | Claim of Lien | <p>Lien must be filed with the recorder of the county in which the property to be charged with the lien is situated and served on the owner within 90 days after the claimant's contribution of goods, materials, or services is completed</p> <p>A lien may not be filed more than three years after the date of the first item of material is furnished</p> <p>Notice of intent to enforce lien must be served by registered mail on owner at least 20 days before the action is commenced or 10 days before if owner is personally served</p> <p>Action to enforce lien must be commenced within 3 years after the date of the recording of the lien</p> <p>Upon written notice by the owner or contractor, suit must be commenced within 30 days thereafter or the lien is forfeited</p> |

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| OHIO Ohio Rev. Code Ann. §§ 1311.01 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Lien affidavit must be filed within 75 days from the date on which the last of the labor or work was performed or material furnished by the lien claimant. (different rules for liens on residential property, oil and gas wells)</p> <p>A copy of the affidavit must be served on the owner within 30 days after filing</p> <p>Action to foreclose lien must be filed within 6 years of the date of the filing of the lien</p> <p>Notice to commence suit filed by owner, prime contractor, or subcontractor affected by lien requires claimant to commence suit within 60 days of service of notice</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Notice of furnishing must be served on owner within 21 days of first furnishing work or material to project if owner filed a notice of commencement. Owner must file notice of commencement before the commencement of any work on the project |
| | Claim of Lien | <p>Lien affidavit must be filed within 75 days from the date on which the last of the labor or work was performed or material furnished by the lien claimant</p> <p>A copy of the affidavit must be served on the owner within 30 days after filing</p> <p>Action to foreclose lien must be filed within 6 years of the date of the filing of the lien</p> <p>Notice to commence suit filed by owner, prime contractor, or subcontractor affected by lien requires claimant to commence suit within 60 days of service of notice</p> |
| | MATERIAL SUPPLIER | |
| Preliminary Notice | Notice of furnishing must be served on owner and general contractor within 21 days of first furnishing work or material to project if owner filed a notice of commencement. Owner must file notice of commencement before the commencement of any work on the project | |

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| | Claim of Lien | <p>Lien affidavit must be filed within 75 days from the date on which the last of the labor or work was performed or material furnished by the lien claimant</p> <p>A copy of the affidavit must be served on the owner within 30 days after filing</p> <p>Action to foreclose lien must be filed within 6 years of the date of the filing of the lien</p> <p>Notice to commence suit filed by owner, prime contractor, or subcontractor affected by lien requires claimant to commence suit within 60 days of service of notice</p> |
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| OKLAHOMA Okla. Stat. tit. 42, §§ 141 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None on commercial project |
| | Claim of Lien | <p>Statement of lien must be filed within 4 months after the date upon which material or equipment for project was last furnished or labor last performed under the contract</p> <p>Action to enforce lien must be commenced within 1 year from the filing of the statement of lien</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | A prelien notice is required for commercial and industrial projects for those who do not have a direct contract with the owner. The deadline is no later than 75 days after furnishing services |
| | Claim of Lien | <p>Statement of lien must be filed within 90 days after the date upon which material or equipment for project was last furnished or labor last performed under the contract</p> <p>Action to enforce lien must be commenced within 1 year from the filing of the statement of lien</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | A prelien notice is required for commercial and industrial projects for those who do not have a direct contract with the owner. The deadline is no later than 75 days after furnishing services |
| Claim of Lien | <p>Statement of lien must be filed within 90 days after the date upon which material or equipment for project was last furnished or labor last performed under the contract</p> <p>Action to enforce lien must be commenced within 1 year from the filing of the statement of lien</p> | |

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| OREGON Or. Rev. Stat. §§ 87.001 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | <p>Notice of right to lien must be served on owner with respect to all material provided on job in which a security interest is sought within 8 days of providing those materials to the project; no notice required on commercial projects. (later than this "8 day" notice is permitted, but limits claimants rights)</p> <p>Information Notice to Owner at the time of contract execution for residential projects; no notice necessary on commercial projects</p> |
| | Claim of Lien | <p>A claim of lien for nonpayment of labor, materials, or rental equipment must be recorded by the earlier of the following time periods:</p> <p>(1) within 75 days after the last day of performance of labor, delivery of materials, or rental of equipment; or</p> <p>(2) within 75 days after the completion of construction</p> <p>After the work performed by all original contractors is substantially complete, the owner, original contractor or mortgagee (or their agent) may post and record a completion notice</p> <p>All other lien claimants must record their claims of lien within 75 days after the completion of construction</p> <p>Notice of filing a claim of lien must be given to the owner, mortgagees and others with security interests in the property within 20 days after filing the claim of construction lien</p> <p>Notice of intent to foreclose a lien must be given to the same parties as the notice of filing no later than 10 days before the commencement of the foreclosure suit</p> <p>Suit to foreclose lien must be commenced within 120 days after recording claim of lien; Notice of Pendency of Action should also be filed</p> |

| SUBCONTRACTOR | |
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| Preliminary Notice | Notice of right to lien must be served on owner with respect to all material provided on job in which a security interest is sought within 8 days of providing those materials to the project on residential project; no notice required on commercial projects. (later than this "8 day" notice is permitted, but limits claimants rights) |
| Claim of Lien | <p>A claim of lien for nonpayment of labor, materials, or rental equipment must be recorded by the earlier of the following time periods:</p> <p>(1) within 75 days after the last day of performance of labor, delivery of materials, or rental of equipment; or</p> <p>(2) within 75 days after the completion of construction</p> <p>After the work performed by all original contractors is substantially complete, the owner, original contractor or mortgagee (or their agent) may post and record a completion notice</p> <p>All other lien claimants must record their claims of lien within 75 days after the completion of construction</p> <p>Notice of filing a claim of lien must be given to the owner, mortgagees and others with security interests in the property within 20 days after filing the claim of construction lien</p> <p>Notice of intent to foreclose a lien must be given to the same parties as the notice of filing no later than 10 days before the commencement of the foreclosure suit</p> <p>Suit to foreclose lien must be commenced within 120 days after recording claim of lien; Notice of Pendency of Action should also be filed</p> |
| MATERIAL SUPPLIER | |
| Preliminary Notice | Notice of right to lien must be served on owner within 8 days of providing material to the project on residential and commercial projects (unless contracted directly with owner) (later than this "8 day" notice is permitted, but limits claimants rights) |
| Claim of Lien | <p>A claim of lien for nonpayment of labor, materials, or rental equipment must be recorded by the earlier of the following time periods:</p> <p>(1) within 75 days after the last day of performance of labor, delivery of materials, or rental of equipment; or</p> <p>(2) within 75 days after the completion of construction</p> <p>After the work performed by all original contractors is substantially complete, the owner, original contractor or mortgagee (or their agent) may post and record a completion notice</p> <p>All other lien claimants must record their claims of lien within 75 days after the completion of construction</p> <p>Notice of filing a claim of lien must be given to the owner, mortgagees and others with security interests in the property within 20 days after filing the claim of construction lien</p> <p>Notice of intent to foreclose a lien must be given to the same parties as the notice of filing no later than 10 days before the commencement of the foreclosure suit</p> <p>Suit to foreclose lien must be commenced within 120 days after recording claim of lien; Notice of Pendency of Action should also be filed</p> |

| PENNSYLVANIA | PRIME CONTRACTOR | |
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| 49 Pa. Cons. Stat. §§ 1101 et seq. | Preliminary Notice | None |
| | Claim of Lien | <p>Lien claim must be filed within 6 months after completion of the work for which the lien was claimed;</p> <p>Notice of lien claim must be served on owner within 1 month after filing the lien claim; affidavit of service must be filed within 20 days of service</p> <p>Action must be commenced within 2 years from the date of filing the lien claim</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Notice of intent to file claim to owner at least 30 days prior to filing. Therefore, subcontractors must serve a notice of intent within 5 months after the last day of contract work to allow sufficient time to file the lien after providing the notice of intent to the owner |

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| | Claim of Lien | <p>Lien claim must be filed within 6 months after completion of the work for which the lien was claimed</p> <p>Notice of lien claim must be served on owner within 1 month after filing the lien claim; affidavit of service must be filed within 20 days of service</p> <p>Action must be commenced within 2 years from the date of filing the lien claim</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | <p>Notice of intent to file claim to owner at least 30 days prior to filing. Therefore, subcontractors must serve a notice of intent within 5 months after the last day of contract work to allow sufficient time to file the lien after providing the notice of intent to the owner</p> |
| | Claim of Lien | <p>Lien claim must be filed within 6 months after completion of the work for which the lien was claimed</p> <p>Notice of lien claim must be served on owner within 1 month after filing the lien claim; affidavit of service must be filed within 20 days of service</p> <p>Action must be commenced within 2 years from the date of filing the lien claim</p> |

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| RHODE ISLAND R.I. Gen. Laws §§ 34-28-1 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | <p>Notice of Possible Mechanic's Lien must be filed within 10 days of commencing work</p> |
| | Claim of Lien | <p>Notice of intention to claim lien must be filed and served on the owner within 200 days after doing the work or furnishing the materials</p> <p>Within 40 days of the recording of Notice of Intention, the lien claimant must (1) file a statutory form of Notice of Lis Pendens with the appropriate records of land evidence, and (2) file a Petition to Enforce. The Petition to Enforce must be filed within 7 days after filing the notice of <i>lis pendens</i></p> <p>Notice to all parties with an interest in the lien enforcement is accomplished with publication of an advertisement as described in the code</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | <p>None</p> |
| | Claim of Lien | <p>Notice of intention to claim lien must be filed and served on the owner within 200 days after doing the work or furnishing the materials</p> <p>Within 40 days of the recording of Notice of Intention, the lien claimant must (1) file a statutory form of Notice of Lis Pendens with the appropriate records of land evidence, and (2) file a Petition to Enforce. The Petition to Enforce must be filed within 7 days after filing the notice of <i>lis pendens</i></p> <p>Notice to all parties with an interest in the lien enforcement is accomplished with publication of an advertisement as described in the code</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | <p>None, unless directly contracting with owner</p> |
| | Claim of Lien | <p>Notice of intention to claim lien must be filed and served on the owner within 200 days after doing the work or furnishing the materials</p> <p>Within 40 days of the recording of Notice of Intention, the lien claimant must (1) file a statutory form of Notice of Lis Pendens with the appropriate records of land evidence, and (2) file a Petition to Enforce. The Petition to Enforce must be filed within 7 days after filing the notice of <i>lis pendens</i></p> <p>Notice to all parties with an interest in the lien enforcement is accomplished with publication of an advertisement as described in the code</p> |

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| SOUTH CAROLINA S.C. Code Ann. §§ 29-5-10 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Notice of project commencement should be filed within 15 days of commencement of work to provide maximum protection |
| | Claim of Lien | Claim of lien must be filed and served on the owner within 90 days after ceasing to furnish labor or materials on the project Suit to foreclose lien and a <i>lis pendens</i> must be commenced within 6 months after ceasing to furnish labor or materials on the project |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Subcontractors should give notice to the prime contractor of the furnishing of labor or material before the lien attaches |
| | Claim of Lien | Claim of lien must be filed and served on the owner within 90 days after ceasing to furnish labor or materials on the project Suit to foreclose lien and a <i>lis pendens</i> must be commenced within 6 months after ceasing to furnish labor or materials on the project |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Materialmen should give notice to the prime contractor of the furnishing of labor or material before the lien attaches |
| | Claim of Lien | Claim of lien must be filed and served on the owner within 90 days after ceasing to furnish labor or materials on the project Suit to foreclose lien and a <i>lis pendens</i> must be commenced within 6 months after ceasing to furnish labor or materials on the project |

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| SOUTH DAKOTA S.D. Codified Laws §§ 44-9-1 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Subcontractor may serve owner with sworn account and notice of claim for non-payment from contractor Owner must give notice to contractor and contractor must give written notice that it disputes claim within 15 days or owner is entitled to pay the amount due and deduct the same from amount owed to contractor Prime contractor should file a notice of project commencement within 30 days of commencing the work; notice must be posted at jobsite |
| | Claim of Lien | Owner may serve written notice within 15 days after contract work has been completed requiring any person who might have a lien to furnish a verified, itemized statement of lien No action may be commenced on such a lien for 10 days after statement has been furnished A lien statement must be filed within 120 days from the doing of the last work, or furnishing the last item of skill, services, material, or machinery Before filing the lien statement, the person claiming the lien shall send a copy of the lien statement by certified mail to Owner's last known address and attach a copy of the Post Office receipt to the lien statement Action to enforce lien must be commenced within 6 years after the date the last item claimed in the filed lien statement Upon written demand of an owner, its agent or a contractor served on any person holding a lien and demanding the commencement of suit to enforce such lien, action must be commenced within 30 days after such notice or the lien is forfeited Lien plaintiff must file notice of <i>lis pendens</i> . Once a claimant has filed a <i>lis pendens</i> notice, all other claimants must intervene in enforcement suit |
| SUBCONTRACTOR | | |
| Preliminary Notice | Sub-subcontractor must give notice of furnishing labor or materials within 60 days after doing such work to contractor identified in notice of commencement, and provide a copy to the owner | |

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| | Claim of Lien | <p>Owner may serve written notice within 15 days after contract work has been completed requiring any person who might have a lien to furnish a verified, itemized statement of lien</p> <p>No action may be commenced on such a lien for 10 days after statement has been furnished</p> <p>A lien statement must be filed within 120 days from the doing of the last work, or furnishing the last item of skill, services, material, or machinery</p> <p>Before filing the lien statement, the person claiming the lien shall send a copy of the lien statement by certified mail to Owner's last known address and attach a copy of the Post Office receipt to the lien statement</p> <p>Action to enforce lien must be commenced within 6 years after the date the last item claimed in the filed lien statement</p> <p>Upon written demand of an owner, its agent or a contractor served on any person holding a lien and demanding the commencement of suit to enforce such lien, action must be commenced within 30 days after such notice or the lien is forfeited</p> <p>Lien plaintiff must file notice of <i>lis pendens</i>. Once a claimant has filed a <i>lis pendens</i> notice, all other claimants must intervene in enforcement suit</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | Sub-subcontractor must give notice of furnishing labor or materials within 60 days after doing such work to contractor identified in notice of commencement, and provide a copy to the Owner |
| | Claim of Lien | <p>Owner may serve written notice within 15 days after contract work has been completed requiring any person who might have a lien to furnish a verified, itemized statement of lien</p> <p>No action may be commenced on such a lien for 10 days after statement has been furnished</p> <p>A lien statement must be filed within 120 days from the doing of the last work, or furnishing the last item of skill, services, material, or machinery</p> <p>Before filing the lien statement, the person claiming the lien shall send a copy of the lien statement by certified mail to Owner's last known address and attach a copy of the Post Office receipt to the lien statement</p> <p>Action to enforce lien must be commenced within 6 years after the date the last item claimed in the filed lien statement</p> <p>Upon written demand of an owner, its agent or a contractor served on any person holding a lien and demanding the commencement of suit to enforce such lien, action must be commenced within 30 days after such notice or the lien is forfeited</p> <p>Lien plaintiff must file notice of <i>lis pendens</i>. Once a claimant has filed a <i>lis pendens</i> notice, all other claimants must intervene in enforcement suit</p> |

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| TENNESSEE Tenn. Code Ann. 66-11-101 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Notice must be provided to owner prior to commencing work |
| | Claim of Lien | <p>Suit to enforce a lien must be brought within 1 year from the date the work is finished or materials are furnished</p> <p>Notice of completion filed by owner (which may be filed after completion of the improvement) requires that notice of claims of lien must be filed within 30 days after notice of completion is filed</p> <p>Owner may file notice of demand on lienor to file suit to enforce lien, at which point suit must be filed within 60 days of notice of demand</p> <p>Within 20 days after the property is attached in the suit, the claimant must record an abstract in the Register of Deeds Office</p> |
| | SUBCONTRACTOR | |
| Preliminary Notice | None | |

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| | Claim of Lien | <p>Notice of nonpayment must first be given to the owner and the prime contractor within 90 days of the last day of the month within which the subcontractor's labor or materials were provided</p> <p>Then subcontractor must also file and provide to the owner a notice of lien and sworn statement within 90 days after the date the improvement is complete or abandoned</p> <p>Subcontractor must give separate notice for each month in which unpaid services or supplies were provided</p> <p>Suit must be filed within 90 days of filing notice of lien and sworn statement</p> <p>Notice of completion filed by owner (which may be filed after completion of the improvement) requires that notice of claims of lien be filed within 30 days after notice of completion is filed</p> <p>Owner or general contractor may file notice of demand on lienor to file suit to enforce lien, at which point suit must be filed within 60 days of notice of demand</p> <p>Within 20 days after the property is attached in the suit, the claimant must record an abstract in the Register of Deeds Office</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | If dealing directly with the owner, then must provide notice prior to commencing work |
| | Claim of Lien | <p>Notice of nonpayment must first be given to the owner and the prime contractor within 90 days of the last day of the month within which the subcontractor's labor or materials were provided</p> <p>Then subcontractor must also file and provide to the owner a notice of lien and sworn statement within 90 days after the date the improvement is complete or abandoned</p> <p>Subcontractor must give separate notice for each month in which unpaid services or supplies were provided</p> <p>Suit must be filed within 90 days of filing notice of lien and sworn statement</p> <p>Notice of completion filed by owner (which may be filed after completion of the improvement) requires that notice of claims of lien be filed within 30 days after notice of completion is filed</p> <p>Owner or general contractor may file notice of demand on lienor to file suit to enforce lien, at which point suit must be filed within 60 days of notice of demand</p> <p>Within 20 days after the property is attached in the suit, the claimant must record an abstract in the Register of Deeds Office</p> |

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| TEXAS Tex. Prop. Code §§ 53.001 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Affidavit of lien must be filed with the county clerk of the county in which the property is located not later than the "15th day of the fourth calendar month after the day on which the indebtedness accrued" and a copy sent to the owner by registered or certified mail within 5 days of filing (accrual of debt is defined differently for different parties under the statutes)</p> <p>Suit for foreclosure of lien must be commenced within the later of:</p> <p>(1) 2 years from the last day for the claimant to file its lien affidavit; or</p> <p>(2) 1 year after completion, abandonment, or termination of the original contract</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |

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| | Claim of Lien | <p>Affidavit of lien must be filed with the county clerk of the county in which the property is located not later than the “15th day of the fourth calendar month after the day on which the indebtedness accrued” and a copy sent to the owner and general contractor by registered or certified mail within 5 days of filing (accrual of debt is defined differently for different parties under the statutes)</p> <p>Notices of nonpayment must be issued for every month claimed stating amount due including retainage: the claimant must give notice to owner and prime contractor by the 15th day of the second month following each month in which all or part of the claimant’s labor was performed or material delivered, and the claimant must give additional notice to the owner and prime contractor by the 15th day of the third month following each month in which all or part of claimant’s labor was performed or material delivered. See statute for complex time restrictions (Tex. Prop. Code § 53.056, 53.057, 53.058)</p> <p>Suit for foreclosure of lien must be commenced within the later of:</p> <p>(1) 2 years from the last day for the claimant to file its lien affidavit; or</p> <p>(2) 1 year after completion, abandonment, or termination of the original contract</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Affidavit of lien must be filed with the county clerk of the county in which the property is located not later than the “15th day of the fourth calendar month after the day on which the indebtedness accrued” and a copy sent to the owner and general contractor by registered or certified mail within 5 days of filing (accrual of debt is defined differently for different parties under the statutes)</p> <p>Notices of nonpayment must be issued for every month claimed stating amount due including retainage, the claimant must give notice to the owner and prime contractor by the 15th day of the second month following each month in which the claimant receives and accepts the order for the material. In addition, if delivery has been made or the normal delivery time for the job has passed, the claimant must give notice to the owner and prime contractor by the 15th day of the third month in which all or part of the material or specially fabricated material was delivered.-- see statute for complex time restrictions (Tex. Prop. Code § 53.056, 53.057, 53.058)</p> <p>Suit for foreclosure of lien must be commenced within the later of:</p> <p>(1) 2 years from the last day for the claimant to file its lien affidavit; or</p> <p>(2) 1 year after completion, abandonment, or termination of the original contract</p> |

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| <p>UTAH</p> <p>Utah Code Ann. §§ 38-1A-501 et seq.</p> | PRIME CONTRACTOR | |
| | Preliminary Notice | <p>Preliminary notice must be filed with the Construction Registry within 20 days after commencement of claimant’s work; if notice is filed after the proscribed 20 day period, it is effective as of 5 days after the filing of the notice (and preserves claimant’s rights only after the effective date). Preliminary notice has no effect if it is filed more than 10 days after the filing of a Notice of Completion. A preponder claimant who provides work after the recording of a construction lender’s mortgage or trust deed must file a preliminary notice with the registry no later than 20 days after the recording of the mortgage or trust deed</p> |
| | Claim of Lien | <p>Notice of lien must be recorded in the office of the applicable county recorder by the claimant within 180 days of final completion of the original contract, if no notice of completion is filed. If notice of completion has been filed, 90 days after that filing but not later than 180 days after the date on which final completion of the original contract occurs</p> <p>Notice of lien should be delivered or mailed by certified mail to owner within 30 days of filing to preserve right to attorney’s fees</p> <p>Action to enforce mechanics lien (and lis pendens) must be commenced within 180 days from the date on which lien claimant filed notice of claim. If an owner files for bankruptcy before the expiration of the 180-day period, then action must be commenced within 90 days after the automatic stay under the bankruptcy proceeding is lifted or expires</p> <p>(Different rules apply to residential construction)</p> |

| SUBCONTRACTOR | |
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| Preliminary Notice | Preliminary notice must be filed with the Construction Registry within 20 days after commencement of claimant's work; if notice is filed after the proscribed 20 day period, it is effective as of 5 days after the filing of the notice (and preserves claimant's rights only after the effective date). Preliminary notice has no effect if it is filed more than 10 days after the filing of a Notice of Completion. A prelender claimant who provides work after the recording of a construction lender's mortgage or trust deed must file a preliminary notice with the registry no later than 20 days after the recording of the mortgage or trust deed |
| Claim of Lien | <p>Notice of lien must be recorded in the office of the applicable county recorder by the claimant within 180 days of final completion of the original contract, if no notice of completion is filed. If notice of completion has been filed, 90 days after that filing but not later than 180 days after the date on which final completion of the original contract occurs</p> <p>Notice of lien should be delivered or mailed by certified mail to owner within 30 days of filing to preserve right to attorney's fees</p> <p>Action to enforce mechanics lien (and <i>lis pendens</i>) must be commenced within 180 days from the date on which lien claimant filed notice of claim. If an owner files for bankruptcy before the expiration of the 180-day period, then action must be commenced within 90 days after the automatic stay under the bankruptcy proceeding is lifted or expires</p> <p>(Different rules apply to residential construction)</p> |
| MATERIAL SUPPLIER | |
| Preliminary Notice | Preliminary notice must be filed with the Construction Registry within 20 days after commencement of claimant's work; if notice is filed after the proscribed 20 day period, it is effective as of 5 days after the filing of the notice (and preserves claimant's rights only after the effective date). Preliminary notice has no effect if it is filed more than 10 days after the filing of a Notice of Completion. A prelender claimant who provides work after the recording of a construction lender's mortgage or trust deed must file a preliminary notice with the registry no later than 20 days after the recording of the mortgage or trust deed |
| Claim of Lien | <p>Notice of lien must be recorded in the office of the applicable county recorder by the claimant within 180 days of final completion of the original contract, if no notice of completion is filed. If notice of completion has been filed, 90 days after that filing but not later than 180 days after the date on which final completion of the original contract occurs</p> <p>Notice of lien should be delivered or mailed by certified mail to owner within 30 days of filing to preserve right to attorney's fees</p> <p>Action to enforce mechanics lien (and <i>lis pendens</i>) must be commenced within 180 days from the date on which lien claimant filed notice of claim. If an owner files for bankruptcy before the expiration of the 180-day period, then action must be commenced within 90 days after the automatic stay under the bankruptcy proceeding is lifted or expires</p> <p>(Different rules apply to residential construction)</p> |

| VERMONT | PRIME CONTRACTOR | |
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| Vt. Stat. Ann. tit. 9, §§ 1921 et seq. | Preliminary Notice | None |
| | Claim of Lien | <p>Notice of lien must be recorded and provided to owner within 180 days from the day when payment became due for the last labor performed or materials furnished by the claimant</p> <p>Suit to enforce lien must be commenced and attachment obtained within 180 days from (1) the filing of the notice of lien or (2) when payment becomes due</p> <p>Within five months after a judgment is obtained, a certified copy of the record must be recorded</p> |
| SUBCONTRACTOR | | |
| | Preliminary Notice | Pre-lien notice allowed to set priority but not required |
| | Claim of Lien | <p>Notice of lien must be recorded and provided to owner within 180 days from the day when payment became due for the last labor performed or materials furnished by the claimant</p> <p>Suit to enforce lien must be commenced and attachment obtained within 180 days from (1) the filing of the notice of lien or (2) when payment becomes due</p> <p>Within five months after a judgment is obtained, a certified copy of the record must be recorded</p> |

| MATERIAL SUPPLIER | |
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| Preliminary Notice | Pre-lien notice allowed to set priority but not required |
| Claim of Lien | <p>Notice of lien must be recorded and provided to owner within 180 days from the day when payment became due for the last labor performed or materials furnished by the claimant</p> <p>Suit to enforce lien must be commenced and attachment obtained within 180 days from (1) the filing of the notice of lien or (2) when payment becomes due</p> <p>Within five months after a judgment is obtained, a certified copy of the record must be recorded</p> |

| VIRGINIA Va. Code ann. §§ 43-1 et seq. | PRIME CONTRACTOR | |
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| | Preliminary Notice | <p>None is required unless: (1) the project is a one or two story residential dwelling; <u>and</u> (2) the building permit names a mechanic's lien agent</p> <p>If the project is a one or two story residential dwelling <u>and</u> the building permit names a mechanic's lien agent, claimant must serve a notice on the mechanic's lien agent within 30 days of the time the claimant first performs labor or within 30 days of issuance of the building permit if labor is performed prior to issuing the permit. Note: if the notice is late, lien right may be limited to value of work provide after the notice is given</p> |
| | Claim of Lien | <p>Memorandum of lien must be filed (1) within 90 days from the last day of the month in which the claimant last performed labor or furnished materials, or (2) within 90 days from the time such building, or structure is completed or otherwise terminated, whichever is earlier</p> <p>General contractor must also file, at the same time as filing the memorandum of lien, a certification of mailing the lien to the owner at its last known address</p> <p>Note:with the exception of retention withholdings of up to 10%, the value of labor and materials may only be included in the lien if they were provided within the 150 days immediately preceding the filing of the lien (inclusion of labor and materials from before the 150 day period will likely invalidate the lien). The Code allows for the filing of more than one lien</p> <p>Suit to enforce the lien must be commenced within 6 months from the date the memo-randum of lien was recorded or within 60 days from the time the structure was completed, or otherwise terminated, whichever is later</p> |
| SUBCONTRACTOR | | |
| Preliminary Notice | <p>None is required unless: (1) the project is a one or two story residential dwelling; <u>and</u> (2) the building permit names a mechanic's lien agent</p> <p>If the project is a one or two story residential dwelling <u>and</u> the building permit names a mechanic's lien agent, claimant must serve a notice on the mechanic's lien agent within 30 days of the time the claimant first performs labor or within 30 days of issuance of the building permit if labor is performed prior to issuing the permit. Note: if the notice is late, lien right may be limited to value of work provide after the notice is given</p> <p>While not required to have a lien, a subcontractor may impose personal liability on the general contractor or owner by providing (1) a preliminary notice stating nature of contract and probable amount of his claim and (2) a subsequent additional notice stating the amount of the claim, verified by affidavit, at any point after the claimant's work is finished but before 30 days after the completion or termination of the work</p> | |

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| | Claim of Lien | <p>Memorandum of lien must be filed (1) within 90 days from the last day of the month in which the claimant last performed labor or furnished materials, or (2) within 90 days from the time such building, or structure is completed otherwise terminated, whichever is earlier</p> <p>Note: with the exception of retention withholdings of up to 10%, or amount not yet due because they have not yet been paid to the general contractor from the owner, the value of labor and materials may only be included in the lien if they were provided within the 150 days immediately preceding the filing of the lien (inclusion of labor and materials from before the 150 day period will likely invalidate the lien). The Code allows for the filing of more than one lien</p> <p>Subcontractors must also give written notice to owner of the amount and character of the lien claim. Sub-subcontractors (lower-tier subcontractors) must also give written notice to owner and the contractor of the amount and character of the lien claim</p> <p>Suit to enforce the lien must be commenced within 6 months from the date the memo-randum of lien was recorded or within 60 days from the time the structure was completed, or otherwise terminated, whichever is later</p> |
| MATERIAL SUPPLIER | | |
| | Preliminary Notice | <p>None is required unless: (1) the project is a one or two story residential dwelling; <u>and</u> (2) the building permit names a mechanic's lien agent</p> <p>If the project is a one or two story residential dwelling <u>and</u> the building permit names a mechanic's lien agent, claimant must serve a notice on the mechanic's lien agent within 30 days of the time the claimant first performs labor or within 30 days of issuance of the building permit if labor is performed prior to issuing the permit. Note: if the notice is late, lien right may be limited to value of work provide after the notice is given</p> <p>While not required to have a lien, materialmen may impose personal liability on the general contractor or owner by providing (1)a preliminary notice stating nature of contract and probable amount of his claim and (2) a subsequent additional notice stating the amount of the claim, verified by affidavit, at any point after the claimant's work is finished but before 30 days after the completion or termination of the work</p> |
| | Claim of Lien | <p>This category includes lower-tier subcontractors and snd suppliers. Memorandum of lien must be filed (1) within 90 days from the last day of the month in which the claimant last performed labor or furnished materials, or (2) within 90 days from the time such building, or structure is completed or the work terminated, whichever is earlier</p> <p>Note: with the exception of retention withholdings of up to 10%, or amount not yet due because it has not yet been paid to the person supplier contracted with, the value of labor and materials may only be included in the lien if they were provided within 150 days prior to the last day of providing labor or service (inclusion of labor and materials from before the 150 day period will likely invalidate the lien). The Code allows for the filing of more than one lien</p> <p>If the material supplier holds a contract with the general contractor, it must also give written notice to owner of the amount and character of the lien claim. Lower-tier material providers must also give written notice to owner and the contractor of the amount and character of the lien claim</p> <p>Suit to enforce the lien must be commenced within 6 months from the date the memo-randum of lien was recorded or within 60 days from the time the structure was completed, or otherwise terminated, whichever is later</p> |

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| <p>WASHINGTON</p> <p>wash. Rev. Code §§ 60.04.011 et seq.</p> | PRIME CONTRACTOR | |
| | Preliminary Notice | <p>Notice of right must be provided to all subcontractors, suppliers and professional service providers as soon as the primary contractor is aware they will be performing on the project. Notice must be disclosed via written notification and posting a legible notice on the job site</p> |
| | Claim of Lien | <p>Notice of claim of lien must be filed within 90 days of claimant's cessation of work or furnishing material or the last date employee benefit contributions were due</p> <p>Notice of claim of lien must be served on the owner within 14 days of the date the claim is recorded to have a claim for attorney's fees and cost</p> <p>Claimant must commence action to enforce lien within 8 months of recording the lien</p> |

| SUBCONTRACTOR | |
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| Preliminary Notice | Unless a subcontractor has contracted directly with owner or prime contractor, subcontractor must deliver notice of right to claim lien to owner and prime contractor within 60 days of commencement of work or the first delivery of equipment or material |
| Claim of Lien | Notice of claim of lien must be filed within 90 days of claimant's cessation of work or furnishing material or the last date employee benefit contributions were due Notice of claim of lien must be served on the owner within 14 days of the date the claim is recorded to have a claim for attorney's fees and cost Claimant must commence action to enforce lien within 8 months of recording the lien |
| MATERIAL SUPPLIER | |
| Preliminary Notice | Unless a materialman has contracted directly with owner or prime contractor, materialman must deliver notice of right to claim lien to owner and prime contractor within 60 days of commencement of work or the first delivery of equipment or material |
| Claim of Lien | Notice of claim of lien must be filed within 90 days of claimant's cessation of work or furnishing material or the last date employee benefit contributions were due Notice of claim of lien must be served on the owner within 14 days of the date the claim is recorded to have a claim for attorney's fees and cost Claimant must commence action to enforce lien within 8 months of recording the lien |

| WEST VIRGINIA | PRIME CONTRACTOR | |
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| W. Va. Code §§ 38-2-1 et seq. | Preliminary Notice | None |
| | Claim of Lien | Notice of lien must be recorded with county clerk's office within 100 days after completion of the contract. Notice terms are included in the statute Suit in chancery to enforce the lien must be instituted within 6 months after notice of the lien is filed |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None required, but optional notice may be filed |
| | Claim of Lien | Notice of lien must be recorded with county clerk's office and served on the owner within 100 days from the last furnishing of labor or materials. Notice terms are included in the statute Suit in chancery to enforce the lien must be instituted within 6 months after notice of the lien is filed If subcontractor is served with a written demand of the owner or the owner's agent, subcontractor must provide itemized statement of account within 10 days |
| | MATERIAL SUPPLIER | |
| Preliminary Notice | None required, but optional notice may be filed | |
| Claim of Lien | Notice of lien must be recorded with county clerk's office and served on the owner within 100 days from the last furnishing of labor or materials. Notice terms are included in the statute Suit in chancery to enforce the lien must be instituted within 6 months after notice of the lien is filed If materialman is served with a written demand of the owner or the owner's agent, materialman must provide itemized statement of account within 10 days | |

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| WISCONSIN Wis. Stat. §§ 779.01 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Preliminary notice must be included in the original prime contract or, if no written contract, served on owner within 10 days after the first labor or materials are furnished for the improvement by or pursuant to the authority of the prime contractor This notice requirement may be waived under some circumstances for commercial projects (See Wis. Stat. § 779.02(1)(c)) |
| | Claim of Lien | Notice of intent to file lien must be served on owner at least 30 days before the timely filing of the lien claim Claim for lien must be filed (with copies of all required preliminary notices attached) within 6 months from the date the lien claimant furnished its last labor or materials Suit to foreclose on the lien must be filed within 2 years after the date that the lien claim was filed |
| | SUBCONTRACTOR | |
| | Preliminary Notice | Preliminary notice must be served on owner within 60 days after lien claimant first provides labor or material for improvement |
| | Claim of Lien | Notice of intent to file lien must be served on owner at least 30 days before the timely filing of the lien claim Claim for lien must be filed (with copies of all required preliminary notices attached) within 6 months from the date the lien claimant furnished its last labor or materials Suit to foreclose on the lien must be filed within 2 years after the date that the lien claim was filed |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | Preliminary notice must be served on owner within 60 days after lien claimant first provides labor or material for improvement |
| | Claim of Lien | Notice of intent to file lien must be served on owner at least 30 days before the timely filing of the lien claim Claim for lien must be filed (with copies of all required preliminary notices attached) within 6 months from the date the lien claimant furnished its last labor or materials Suit to foreclose on the lien must be filed within 2 years after the date that the lien claim was filed |

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| WYOMING Wyo. Stat. Ann. §§ 29-1-201 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | Written notice of right to assert a lien against the property for which services or materials are provided if the contractor is not paid and the right of the owner to obtain a lien waiver upon payment for services or materials must be sent to the owner prior to the contractor receiving any payment from the owner, including advances |
| | Claim of Lien | Notice of intent to claim lien must be given to owner at least 20 days prior to filing lien Contractor must file lien statement within 150 days from the last day work was performed or materials furnished under the contract or the date of substantial completion of the project on which work was performed or materials were furnished under the contract, whichever is earlier Parties to a contract may agree to extend the time within which the lien may be filed, but the time extension may not exceed twice the time within which the lien would have to be filed in accordance with the time limits above Suit to foreclose lien must be brought within 180 days after the filing of the lien statement |
| | SUBCONTRACTOR | |
| Preliminary Notice | Notice to prime contractor and owner must be given in the form prescribed by statute within 30 days after the date on which services or materials are first furnished to the project | |

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| | Claim of Lien | <p>Notice of intent to claim lien must be given to owner at least 20 days prior to filing lien</p> <p>Subcontractor must file lien statement within 120 days from the last day work was performed or materials furnished under the contract or the date of substantial completion of the project on which work was performed or materials were furnished under the contract, whichever is earlier</p> <p>Parties to a contract may agree to extend the time within which the lien may be filed, but the time extension may not exceed twice the time within which the lien would have to be filed in accordance with the time limits above</p> <p>Suit to foreclose lien must be brought within 180 days after the filing of the lien statement</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | <p>Notice to prime contractor and owner must be given in the form prescribed by statute within 30 days after the date on which services or materials are first furnished to the project</p> |
| | Claim of Lien | <p>Notice of intent to claim lien must be given to owner at least 20 days prior to filing lien</p> <p>Materialmen must file lien statement within 120 days from the last day work was performed or materials furnished under the contract or the date of substantial completion of the project on which work was performed or materials were furnished under the contract,, whichever is earlier</p> <p>Parties to a contract may agree to extend the time within which the lien may be filed, but the time extension may not exceed twice the time within which the lien would have to be filed in accordance with the time limits above</p> <p>Suit to foreclose lien must be brought within 180 days after the filing of the lien statement</p> |

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| DISTRICT OF COLUMBIA D.C. Code Ann. §§ 40-301.01 et seq. | PRIME CONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Notice of lien must be filed during construction or within 90 days after the earlier of the completion or termination of the project; Notice of Lien must be served on owner within 5 business days after date of recordation</p> <p>Suit to enforce lien must be brought within 180 days after filing notice of lien, and a notice of pendency of action must be filed within 10 days of filing suit</p> |
| | SUBCONTRACTOR | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Notice of lien must be filed and served on both owner and contractor during construction or within 90 days after the earlier of the completion or termination of the subcontractor's work</p> <p>Suit to enforce lien must be brought within 180 days after filing notice of lien, and a notice of pendency of action must be filed within 10 days of filing suit</p> |
| | MATERIAL SUPPLIER | |
| | Preliminary Notice | None |
| | Claim of Lien | <p>Notice of lien must be filed and served on both owner and contractor during construction or within 90 days after the earlier of the completion or termination of the supplier's work</p> <p>Suit to enforce lien must be brought within 180 days after filing notice of lien, and a notice of pendency of action must be filed within 10 days of filing suit</p> |



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