



50 State Lien Law Notice Requirements



2022 Edition



50 State Lien Law Notice Requirements

This quick reference describes general time requirements for filing lien notices in each state, plus Washington, DC. Seyfarth's Construction team 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, 2021.

About Seyfarth's Construction Group

With one of the largest and most experienced construction law practices in the United States, we offer clients the benefits of a classic construction boutique supported by the resources of a large full-service firm. We represent clients—developers, contractors, owners, architects, engineers, subcontractors and lenders—in all phases of construction projects, from inception to completion, domestically and abroad.

State		Prime Contractor	Subcontractor	Material Supplier
AL Alabama AL Code §§ 35-11-1 et seq.	Preliminary Notice:	None	Notice of Intent to Claim Lien must be served on owner and construction lender prior to filing verified statement of lien	Notice of Intent to Claim Lien must be served on owner and construction lender prior to any materials being supplied to the project
	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 <i>lis pendens</i> 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>	<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 <i>lis pendens</i> 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>	<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 <i>lis pendens</i> 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>
AK Alaska AK Stat. §§ 34.35.005 et seq.	Preliminary Notice:	Notice of Right to Lien should be served on owner and filed prior to provision of labor or materials	Notice of Right to Lien should be served on owner and filed prior to provision of labor or materials	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 <i>lis pendens</i> notice should be filed, within 6 months after claim of lien is recorded</p>	<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 <i>lis pendens</i> notice should be filed, within 6 months after claim of lien is recorded</p>	<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 <i>lis pendens</i> notice should be filed, within 6 months after claim of lien is recorded</p>

State		Prime Contractor	Subcontractor	Material Supplier
AZ Arizona AZ Rev. Stat. §§ 33-981 et seq.	Preliminary Notice:	Written notice must be given within 20 days after providing labor, services or materials to Owner, Prime Contractor, and Construction Lender	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	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
	Claim of Lien:	<p>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</p> <p>Action to foreclose mechanics lien must be commenced within 6 months after recording claim of lien; <i>lis pendens</i> notice must be filed within 5 days of filing action</p>	<p>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</p> <p>Action to foreclose mechanics lien must be commenced within 6 months after recording claim of lien; <i>lis pendens</i> notice must be filed within 5 days of filing action</p>	<p>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</p> <p>Action to foreclose mechanics lien must be commenced within 6 months after recording claim of lien; <i>lis pendens</i> notice must be filed within 5 days of filing action</p>
AR Arkansas AR Code Ann. §§ 18-44-101 et seq.	Preliminary Notice:	<p>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</p> <p>Claimant must give at least 10 days' notice to owner prior to filing "a just and true account of the demand due and owing"</p>	<p>Claimant must give at least 10 days' notice to owner prior to filing "a just and true account of the demand due and owing"</p> <p>No notice required if suit to impress lien filed by claimant within 120 days of the provision of work or materials</p> <p>Written Notice of Nonpayment must be served on owner and contractor within 75 days of the date on which the supplies were provided</p>	<p>Claimant must give at least 10 days' notice to owner prior to filing "a just and true account of the demand due and owing"</p> <p>No notice required if suit to impress lien filed by claimant within 120 days of the provision of work or materials</p> <p>Written Notice of Nonpayment must be served on owner and contractor within 75 days of the date on which the supplies were provided</p>
	Claim of Lien:	<p>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</p> <p>Action to enforce lien must be commenced, and a <i>lis pendens</i> notice filed, within 15 months after filing lien</p>	<p>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</p> <p>If appropriate notices filed, suit must commence, and a <i>lis pendens</i> notice filed, within 15 months after filing lien</p>	<p>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</p> <p>If appropriate notices filed, suit must commence, and a <i>lis pendens</i> notice filed, within 15 months after filing lien</p>

State		Prime Contractor	Subcontractor	Material Supplier
CA California CA Civil Code §§ 8200, et seq.	Preliminary Notice:	Only required to give preliminary notice to the construction lender or the reputed construction lender (§ 8200); also must make name and address of both owner and lender available to any person or entity with lien rights (§ 8208)	Must serve a preliminary notice on the project owner, prime contractor and construction lender within 20 days of first providing labor or materials to the project (§§ 8200, 8204) Can serve a late preliminary notice, but thereafter subcontractor can only record a lien for labor and materials provided within 20 days prior to the service of the preliminary notice and any time thereafter (§ 8204) A laborer is not required to serve a preliminary notice (§ 8200)	Must serve a preliminary notice on the project owner, prime contractor and construction lender within 20 days of first providing materials to the project (§§ 8200, 8204) Can serve a late preliminary notice, but thereafter material supplier can only record a lien for materials provided within 20 days prior to the service of the preliminary notice and any time thereafter (§ 8204)
	Claim of Lien:	Must record a claim of lien after completion of the work of improvement and before the earlier of: (1) 90 days after completion of the work of improvement or (2) 60 days after the owner records a notice of completion or cessation (and gives notice of this recording to the prime contractor) (§ 8412) Upon recording, must serve owner with a copy of the claim of lien, a notice of mechanic's lien containing certain statutorily-required information and a proof of service affidavit (§ 8416) Must file lien foreclosure suit within 90 days of the date a lien is recorded (§ 8460). Must record <i>lis pendens</i> within 20 days of filing lien foreclosure suit (§ 8461)	Must record a claim of lien after the subcontractor has ceased providing work and before the earlier of: (1) 90 days after completion of the work of improvement or (2) 30 days after owner records a notice of completion or cessation (and gives notice of this recording to the subcontractor) (§ 8414) Upon recording, must serve owner with a copy of the claim of lien, a notice of mechanic's lien containing certain statutorily-required information and a proof of service affidavit (§ 8416) Must file lien foreclosure suit within 90 days of the date a lien is recorded (§ 8460). Must record <i>lis pendens</i> within 20 days of filing lien foreclosure suit (§ 8461)	Must record a claim of lien after the material supplier has ceased providing materials and before the earlier of: (1) 90 days after completion of the work of improvement or (2) 30 days after owner records a notice of completion or cessation (and gives notice of this recording to the material supplier) (§ 8414) Upon recording, must serve owner with a copy of the claim of lien, a notice of mechanic's lien containing certain statutorily-required information and a proof of service affidavit (§ 8416) Must file lien foreclosure suit within 90 days of the date a lien is recorded (§ 8460). Must record <i>lis pendens</i> within 20 days of filing lien foreclosure suit (§ 8461)
CO Colorado CO Rev. Stat. §§ 38-22-101 et seq.	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	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	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 <i>lis pendens</i> must be filed within 6 months after completion of the improvement or furnishing of the last labor or materials	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 <i>lis pendens</i> must be filed within 6 months after completion of the improvement or furnishing of the last labor or materials	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 <i>lis pendens</i> must be filed within 6 months after completion of the improvement or furnishing of the last labor or materials

State		Prime Contractor	Subcontractor	Material Supplier
CT Connecticut CT Gen. Stat. §§ 49-33 et seq.	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	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	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
	Claim of Lien:	Certificate of Mechanics Lien must be recorded within 90 days of the last day work was performed on project A copy of lien must be served on all property owners no later than 30 days after lien is recorded Action to foreclose mechanics lien must be commenced and <i>lis pendens</i> filed within 1 year after recording 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 A copy of lien must be served on all property owners no later than 30 days after lien is recorded The entire lien statement must be subscribed and sworn to by the claimant Action to foreclose mechanics lien must be commenced and <i>lis pendens</i> filed within 1 year after recording 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 A copy of lien must be served on all property owners no later than 30 days after lien is recorded The entire lien statement must be subscribed and sworn to by the claimant Action to foreclose mechanics lien must be commenced and <i>lis pendens</i> filed within 1 year after recording lien
DE Delaware DE Code Ann. tit. 25, § 2701, et seq.	Preliminary Notice:	Contractor must provide list of all persons who have provided labor or materials in connection with the construction within 10 days of request 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	None	None
	Claim of Lien:	Statement of claim and suit to enforce must be filed within 180 days following completion of the structure	Statement of claim and suit to enforce 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 that entity	Statement of claim and suit to enforce 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 that entity
DC District of Columbia DC Code Ann. §§ 40-301.01, et seq.	Preliminary Notice:	None	None	None
	Claim of Lien:	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 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	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 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	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 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

State

Prime Contractor

Subcontractor

Material Supplier

FL
Florida

FL Stat.
§§ 713.001 et
seq.

<p>Preliminary Notice:</p>	<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> <p>If the contract is written, the notice must be included in the contract</p>	<p>Claimant must serve the owner with Notice to Owner within earlier of: 45 days after first commencing to furnish services or materials or within 45 days of commencing to make “specially fabricated materials” or 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: 45 days after first commencing to furnish services or materials; or before final payment to the subcontractor through whom the sub-subcontractor is working</p>	<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>
<p>Claim of Lien:</p>	<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>	<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>	<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>



GA Code Ann. §§ 44-14-360 et seq.

	Prime Contractor	Subcontractor	Material Supplier
Preliminary Notice:	None	If owner, agent of owner, or contractor 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 or contractor 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	If owner, agent of owner, or contractor 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 or contractor 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
Claim of Lien:	<p>Claimant must record a claim of lien within 90 days after last furnishing labor, services, or materials</p> <p>The claim of lien shall be in substance as set forth in O.C.G.A. § 44-14-361.1(2)</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 notice of commencement of action in the property records of the county where the claim of lien is filed</p>	<p>Claimant must record a claim of lien within 90 days after last furnishing labor, services, or materials</p> <p>The claim of lien shall be in substance as set forth in O.C.G.A. § 44-14-361.1(2)</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 notice of commencement of action in the property records of the county where the claim of lien is filed</p>	<p>Claimant must record a claim of lien within 90 days after last furnishing labor, services, or materials</p> <p>The claim of lien shall be in substance as set forth in O.C.G.A. § 44-14-361.1(2)</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 notice of commencement of action in the property records of the county where the claim of lien is filed</p>

State		Prime Contractor	Subcontractor	Material Supplier
HI Hawaii HI Rev. Stat. §§ 507-42 et seq.	Preliminary Notice:	None	None	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>	<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>	<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>
ID Idaho ID Code §§ 45-501 et seq.	Preliminary Notice:	None	None	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>	<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>	<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>

State		Prime Contractor	Subcontractor	Material Supplier
IL Illinois 770 ILCS 60/0.01 et seq.	Preliminary Notice:	None	<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>	<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>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 written demand against the lien claimant that suit be filed</p>	<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 (subcontractor who fails to serve such notice may still have a lien to the extent of any amount listed for such subcontractor by the contractor on a sworn statement issued by contractor to owner, but the subcontractor's lien is limited to the amount actually listed, even if such amount is incorrect)</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 written demand against the lien claimant that suit be filed</p>	<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 (materialman who fails to serve such notice may still have a lien to the extent of any amount listed for such materialman on a sworn statement issued by contractor to owner)</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 written demand against the lien claimant that suit be filed</p>
IN Indiana IC 32-28-3-1 et seq.	Preliminary Notice:	None, except for alteration or repairs of existing, and original construction, of owner occupied dwellings	None, except for alteration or repairs of existing, or original construction, of owner occupied dwellings	None, except for alteration or repairs of existing, or original construction, of owner occupied dwellings
	Claim of Lien:	<p>Notice of intent to hold a mechanics lien must be recorded within 90 days of last performing labor or furnishing material or machinery</p> <p>Recorder required by statute to mail notice of the lien to the owner within 3 days of recording (For residential, see IC 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 recorded, except when owner gives notice to file suit within 30 days, suit must be filed within 30 days of receipt of notice</p>	<p>Notice of intent to hold a mechanics lien must be filed within 90 days of last performing labor or furnishing material or machinery</p> <p>Recorder required by statute to mail notice of the lien to the owner within 3 days of recording (For residential, see IC 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 recorded, except when owner gives notice to file suit within 30 days, suit must be filed within 30 days of receipt of notice</p>	<p>Notice of intent to hold a mechanics lien must be recorded within 90 days of last performing labor or furnishing material or machinery</p> <p>Recorder required by statute to mail notice of the lien to the owner within 3 days of recording (For residential, see IC 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 recorded, except when owner gives notice to file suit within 30 days, suit must be filed within 30 days of receipt of notice</p>

State		Prime Contractor	Subcontractor	Material Supplier
IA Iowa IA Code §§ 572.1 et seq.	Preliminary Notice:	<p>None for commercial construction projects</p> <p>For residential construction projects where contractor expects to contract with a subcontractor to provide labor or furnish material for the property, contractor shall (i) provide owner with notice listing specific information, otherwise contractor is not entitled to a lien, (ii) serve on owner and post on lien registry notice of subcontractors, and (iii) post a notice of commencement of the work no later than 10 days after the commencement of work on the property</p>	<p>None for commercial construction projects</p> <p>For residential construction projects, subcontractor shall post on lien registry a preliminary notice before the balance due is paid to the contractor</p>	<p>For commercial construction projects, materialman providing materials to subcontractor must notify prime contractor that it is providing materials within 30 days of first furnishing such materials</p>
	Claim of Lien:	<p>To obtain full protection, Verified Mechanics Lien statement must be filed within 90 days of the date on which the last material was furnished or labor performed</p> <p>Lien may be perfected beyond 90 days, but the lien is enforceable only to the extent of the balance due from the owner to the contractor</p> <p>No lien can be filed after two years and 90 days from the day on which the last material was furnished or labor was performed</p> <p>An action to enforce a mechanics lien must be commenced within 2 years from the expiration of the 90-day lien filing period or within 30 days after the owner makes a written demand against the lien claimant that suit be filed</p> <p>(Special rules apply to owner occupied dwellings)</p>	<p>To obtain full protection, Verified Mechanics Lien statement must be filed within 90 days of the date on which the last material was furnished or labor performed</p> <p>Lien may be perfected beyond 90 days, but the lien is enforceable only to the extent of the balance due from the owner to the contractor</p> <p>No lien can be filed after two years and 90 days from the day on which the last material was furnished or labor was performed</p> <p>An action to enforce a mechanics lien must be commenced within 2 years from the expiration of the 90-day lien filing period or within 30 days after the owner makes a written demand against the lien claimant that suit be filed</p> <p>(Special rules apply to owner occupied dwellings)</p>	<p>To obtain full protection, Verified Mechanics Lien statement must be filed within 90 days of the date on which the last material was furnished or labor performed</p> <p>Lien may be perfected beyond 90 days, but the lien is enforceable only to the extent of the balance due from the owner to the contractor</p> <p>No lien can be filed after two years and 90 days from the day on which the last material was furnished or labor was performed</p> <p>An action to enforce a mechanics lien must be commenced within 2 years from the expiration of the 90-day lien filing period or within 30 days after the owner makes a written demand against the lien claimant that suit be filed</p> <p>(Special rules apply to owner occupied dwellings)</p>
KS Kansas KS Stat. Ann. §§ 60-1101 et seq.	Preliminary Notice:	None	None for non-residential property	None for non-residential property
	Claim of Lien:	<p>Verified lien statement must be filed within 4 months after the date material, equipment or supplies, used or consumed was last furnished or last labor 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>	<p>Verified lien statement must be filed within 3 months after the date supplies, material or equipment was last furnished or labor 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>	<p>Verified lien statement must be filed within 3 months after the date supplies, material or equipment was last furnished or labor 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>

State		Prime Contractor	Subcontractor	Material Supplier
KY Kentucky KY Rev. Stat. Ann. §§ 376.010 et seq.	Preliminary Notice:	None	None	None
	Claim of Lien:	<p>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</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>	<p>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</p> <p>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)</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>	<p>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</p> <p>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)</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>
LA Louisiana LA Rev. Stat. Ann. §§ 9:4801 et seq.	Preliminary Notice:	Written notice of the contract must be filed before the work begins for contracts for more than \$100,000 (signed by owner and contractor)	<p>Written notice of the contract should be filed by prime contractor before the work begins</p> <p>To have a right of action to enforce a claim under the Private Works Act, a subcontractor not in contractual privity with the contractor shall must give notice to the contractor at least 30 days prior to the institution of an action against the contractor</p>	<p>Written notice of the contract should be filed by the prime contractor before the work begins</p> <p>To have a right of action to enforce a claim under the Private Works Act, a subcontractor not in contractual privity with the contractor shall must give notice to the contractor at least 30 days prior to the institution of an action against the contractor</p> <p>If a notice of contract is recorded, the supplier of a movable to a subcontractor must give notice of nonpayment to the owner and prime contractor within 75 days from last day of the month in which material was provided</p>
	Claim of Lien:	<p>If contract is over \$100,000 and notice of contract has been filed: statement of claim must be filed (1) no later than 60 days after owner files a notice of termination; or (2) if a notice of termination is not filed, no later than 7 months after the substantial completion or abandonment of the work</p> <p>Contract under \$100,000 and no notice of contract timely filed: statement of claim must be filed no later than 60 days after: (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</p> <p>Contract over \$100,000 and no notice of contract: no available lien claim</p> <p>Action must be commenced within 1 year after the filing of a statement of claim; notice of pendency of action must also be filed or claim is not effective against third parties</p>	<p>If contract is over \$100,000 and notice of contract has been timely filed: statement of claim must be filed (1) no later than 30 days after the filing of a notice of termination of the work; or (2) if a notice of termination is not filed, no later than 6 months after the substantial completion or abandonment of the work</p> <p>No notice of contract filed: statement of claim must be filed no later than 60 days after (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</p> <p>Action must be commenced within 1 year after the filing of a statement of claim; notice of pendency of action must also be filed or claim is not effective against third parties</p>	<p>If contract over \$100,000 and notice of contract has been timely filed: statement of claim must be filed (1) no later than 30 days after the filing of a notice of termination of the work; or (2) if a notice of termination is not filed, no later than 6 months after the substantial completion or abandonment of the work</p> <p>No notice of contract filed: statement of claim must be filed no later than 60 days after (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</p> <p>Action must be commenced within 1 year after the filing of a statement of claim; notice of pendency of action must also be filed or claim is not effective against third parties</p>

State		Prime Contractor	Subcontractor	Material Supplier
ME Maine ME Rev. Stat. Ann. Tit. 10, §§ 3251 et seq.	Preliminary Notice:	None	None	None
	Claim of Lien:	<p>Where contractor has a contract directly with the Owner, a lien statement need not be filed in the registry of deeds</p> <p>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</p> <p>Within 60 days of the date on which the complaint was filed, the claimant shall cause to be recorded in the registry of deeds: (1) a certificate from the clerk of court in which the action is pending; (2) an affidavit of the claimant or claimant's attorney; or (3) an attested copy of the lien complaint; provided, however, that the failure to file notice of a lien complaint does not invalidate a lien but may allow a bona fide purchaser for value to take title free of the lien</p>	<p>If claimant 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 US mail</p> <p>Lien claim statement must be filed, and a copy thereof sent to the Owner, within 90 days after ceasing to labor, furnish materials or perform services</p> <p>Action must be filed within 120 days after the last of the labor or services are performed or labor, materials or services are so furnished</p> <p>Within 60 days of the date on which the complaint was filed, the claimant shall cause to be recorded in the registry of deeds: (1) a certificate from the clerk of court in which the action is pending; (2) an affidavit of the claimant or claimant's attorney; or (3) an attested copy of the lien complaint; provided, however, that the failure to file notice of a lien complaint does not invalidate a lien but may allow a bona fide purchaser for value to take title free of the lien</p>	<p>If claimant 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 US mail</p> <p>Lien claim statement must be filed, and a copy thereof sent to the Owner, within 90 days after ceasing to labor, furnish material or perform services</p> <p>Action must be filed within 120 days after the last of the labor or services are performed or labor, materials or services are so furnished</p> <p>Within 60 days of the date on which the complaint was filed, the claimant shall cause to be recorded in the registry of deeds: (1) a certificate from the clerk of court in which the action is pending; (2) an affidavit of the claimant or claimant's attorney; or (3) an attested copy of the lien complaint; provided, however, that the failure to file notice of a lien complaint does not invalidate a lien but may allow a bona fide purchaser for value to take title free of the lien</p>
MD Maryland MD Code Ann., Real Prop. §§ 9-101 et seq.	Preliminary Notice:	None	None	None
	Claim of Lien:	<p>Petition to Establish a Mechanics Lien must be instituted within 180 days after the claimant has performed the last work or furnished the last of its materials</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>	<p>Notice of Intention to Claim a Lien (on statutory form) 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 claimant has performed the last work or furnished the last of its materials</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>	<p>Notice of Intention to Claim a Lien (on statutory form) 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 claimant has performed the last work or furnished the last of its materials</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>



MA Gen. Laws ch. 254, §§ 1 et seq.

<p>Preliminary Notice:</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>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</p> <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>Claim of Lien:</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>	<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>

State		Prime Contractor	Subcontractor	Material Supplier
MI Michigan M.C.L.A. 570.1101 et seq.	Preliminary Notice:	<p>Upon commencement of a physical improvement a contracting Owner or Lessee is required to record a notice of commencement</p> <p>Upon demand by Owner, or with a payment request, Contractor must provide sworn statement listing its subcontractors and suppliers, type of improvement each provided, all unpaid laborers, and the amounts paid and owing to each party listed</p> <p>Subsequent liens cannot be filed to enforce lien and payment by Owner on contract not required until the sworn statement is provided</p> <p>Because a Contractor has a direct contract with the Owner, the Contractor is not required to serve a notice of furnishing which is required for subcontractors and suppliers</p>	<p>Notice of furnishing must be provided by subcontractor or supplier to Owner and 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 fifth day of the second month following the month in which fringe benefits or withholdings from wages were contractually due but not paid</p> <p>Upon demand or payment request Subcontractor must provide owner sworn statement listing its subcontractors and suppliers, type of improvement each provided, all unpaid laborers, the amounts paid and owing to each party listed</p> <p>Subsequent liens cannot be filed to enforce lien and payment by owner on contract not required until the sworn statement is provided</p>	<p>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</p>
	Claim of Lien:	<p>Claim of lien must be filed within 90 days of last furnishing labor or material for improvement</p> <p>Claim of lien must be served on owner's designee within 15 days after recording lien</p> <p>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></p> <p>The claims for lien of a contractor, subcontractor, supplier or laborer may be vacated and discharged if a bond with the lien claimant as obligee is filed with the County Clerk and a copy is given to the obligee lien claimant M.C.L.A. 570.1116(1)</p>	<p>Claim of lien must be recorded within 90 days of last furnishing labor or material for improvement</p> <p>Claim of lien must be served on owner's designee within 15 days after recording lien</p> <p>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></p>	<p>Claim of lien must be recorded within 90 days of last furnishing labor or material for improvement</p> <p>Claim of lien must be served on owner's designee within 15 days after recording lien</p> <p>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></p>

Note that Design Professionals have different notice requirements than a contractor. After a Design Professional (i.e., licensed architects, engineers, or surveyors) enters into a written contract for services on a project, it must complete and record a written notice form no later than 90 days after its last day of providing services (per MCL 570.1107a or 1107b) with the local Registrar of Deeds, stating among other requirements, that it is providing professional services on the property; a notice under either section is valid for 1 year after the recording date and the Design Professional may record a later notice if needed

There are different notice forms and content requirements for Lead Design Professionals and Subcontractor Design Professionals; subcontractor Design Professionals must receive written approval "by or on behalf of the Owner of the property" of the subcontract with the Lead Design Professional. MCL 570.1107a and 1107b

State		Prime Contractor	Subcontractor	Material Supplier
MN Minnesota MN Stat. §§ 514.01 et seq.	Preliminary Notice:	Very complicated pre-lien notice required 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)	Very complicated pre-lien notice required; notice to owner should be provided 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)	Very complicated pre-lien notice required; notice to owner should be provided 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:	<p>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</p> <p>Action to foreclose lien must be filed within 1 year of last furnishing labor, skill or material for improvement; <i>lis pendens</i> should also be filed</p>	<p>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</p> <p>Action to foreclose lien must be filed within 1 year of last furnishing labor, skill or material for improvement; <i>lis pendens</i> should also be filed</p>	<p>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</p> <p>Action to foreclose lien must be filed within 1 year of last furnishing labor, skill or material for improvement; <i>lis pendens</i> should also be filed</p>
MS Mississippi MS Code. Ann. §§ 85-7-401 et seq.	Preliminary Notice:	Prime contractors in Mississippi are not required to provide preliminary notice of a lien	Subcontractors are required to provide pre-lien notice to owners before filing a lien on a residential project and give owner 10 days to pay amount due before proceeding with a lien. Miss. Code. Ann. § 85.7-409, there are no other preliminary notice requirements	Within 30 days of beginning work, any sub-subcontractor or material supplier that is not in privity with the prime contractor must provide the prime contractor (or owner where there is no prime contractor) with written notice that details: (1) who is providing labor, services and materials; (2) what labor, services and materials are being provided; (3) the name and location of the project; (4) a description of the labor, services or materials provided; and (5) the anticipated value of all labor, services or materials to be provided to the project; Miss. Code. Ann. § 85-7-407(2); failure to provide such notice will forfeit the right to a lien <i>Id.</i>
	Claim of Lien:	<p>Claim of Lien must be filed with the clerk of the chancery court in the county where the property is located within 90 days of the last day that labor or materials were furnished; Miss. Code. Ann. § 85-7-405(1)(b)</p> <p>Prime contractor must commence a payment action on the lien within 180 days of filing the Claim of Lien or the lien expires; Miss. Code. Ann. § 85-7-421(1)</p>	<p>Claim of Lien must be filed with the clerk of the chancery court in the county where the property is located within 90 days of the last day that labor or materials were furnished; Miss. Code. Ann. § 85-7-405(1)(b)</p> <p>Prime contractor must commence a payment action on the lien within 180 days of filing the Claim of Lien or the lien expires; Miss. Code. Ann. § 85-7-421(1)</p>	<p>Claim of Lien must be filed with the clerk of the chancery court in the county where the property is located within 90 days of the last day that labor or materials were furnished; Miss. Code. Ann. § 85-7-405(1)(b)</p> <p>Prime contractor must commence a payment action on the lien within 180 days of filing the Claim of Lien or the lien expires; Miss. Code. Ann. § 85-7-421(1)</p>
MO Missouri 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>	Notice must be given to the owner at least 10 days prior to filing a lien statement	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>	<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>	<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>

State

Prime Contractor

Subcontractor

Material Supplier

MT
Montana

MT Code Ann.
§§ 71-3-521 et
seq.

<p>Preliminary Notice:</p>	<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 property description and name and address of owner within 5 business days to subcontractor or material supplier upon request</p>	<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</p>	<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</p>
<p>Claim of Lien:</p>	<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); the lien is filed with the county clerk and recorder of the county in which the improved real estate is located; 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>	<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); the lien is filed with the county clerk and recorder of the county in which the improved real estate is located; 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>	<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); the lien is filed with the county clerk and recorder of the county in which the improved real estate is located; 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>

State

Prime Contractor

Subcontractor

Material Supplier

NE
Nebraska

NE Revised
Statute 52-125
(NE Rev. St.
§ 52-125)

<p>Preliminary Notice:</p>	<p>The notice must be in writing, state that it is a notice of a right to assert a lien against real estate for services or materials furnished in connection with improvement of the real estate, and contain the name and address of the claimant, the name and address of the party with whom the claimant contracted, the name of the owner against whom the lien is claimed, a general description of the material or services provided, a description of the property, the amount unpaid to claiming and the warning set forth in Sec. 52-125(h).</p>	<p>The notice must be in writing, state that it is a notice of a right to assert a lien against real estate for services or materials furnished in connection with improvement of the real estate, and contain the name and address of the claimant, the name and address of the party with whom the claimant contracted, the name of the owner against whom the lien is claimed, a general description of the material or services provided, a description of the property, the amount unpaid to claiming and the warning set forth in Sec. 52-125(h).</p>	<p>The notice must be in writing, state that it is a notice of a right to assert a lien against real estate for services or materials furnished in connection with improvement of the real estate, and contain the name and address of the claimant, the name and address of the party with whom the claimant contracted, the name of the owner against whom the lien is claimed, a general description of the material or services provided, a description of the property, the amount unpaid to claiming and the warning set forth in Sec. 52-125(h).</p>
<p>Claim of Lien:</p>	<p>A notice of commencement must be signed by the contracting owner, be denominated notice of commencement, and state: the real estate; the owner; and that if after the notice of commencement is recorded, a lien is recorded as to an improvement covered by the notice of commencement, the lien has priority from the time the notice of commencement is recorded</p> <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; claimant must serve Owner with a copy of the recorded lien within 10 days after recording the lien; 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; if a judicial proceeding to enforce a lien is instituted while a lien is effective under subsection (1) or (2) of this section, the lien continues during the pendency of the proceeding</p>	<p>A notice of commencement must be signed by the contracting owner, be denominated notice of commencement, and state: the real estate; the owner; and that if after the notice of commencement is recorded, a lien is recorded as to an improvement covered by the notice of commencement, the lien has priority from the time the notice of commencement is recorded.</p> <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; claimant must serve Owner with a copy of the recorded lien within 10 days after recording the lien; 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; if a judicial proceeding to enforce a lien is instituted while a lien is effective under subsection (1) or (2) of this section, the lien continues during the pendency of the proceeding</p>	<p>A notice of commencement must be signed by the contracting owner, be denominated notice of commencement, and state: the real estate; the owner; and that if after the notice of commencement is recorded, a lien is recorded as to an improvement covered by the notice of commencement, the lien has priority from the time the notice of commencement is recorded</p> <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; claimant must serve Owner with a copy of the recorded lien within 10 days after recording the lien; 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; if a judicial proceeding to enforce a lien is instituted while a lien is effective under subsection (1) or (2) of this section, the lien continues during the pendency of the proceeding</p>

State		Prime Contractor	Subcontractor	Material Supplier
NV Nevada NV Rev. Stat. §§ 108.221, et seq.	Preliminary Notice:	None	<p>Must serve a preliminary notice on the project owner, prime contractor and construction lender within 31 days of first providing labor or materials to the project</p> <p>Can serve a late preliminary notice, but thereafter subcontractor can only record a lien for labor and materials provided within 31 days prior to the service of the preliminary notice and any time thereafter</p>	<p>Must serve a preliminary notice on the project owner, prime contractor and construction lender within 31 days of first providing labor or materials to the project</p> <p>Can serve a late preliminary notice, but thereafter subcontractor can only record a lien for labor and materials provided within 31 days prior to the service of the preliminary notice and any time thereafter</p>
	Claim of Lien:	<p>Must record a claim of lien within 90 days of the later of: (1) the date that the last labor, materials or equipment is provided to the project or (2) the date of completion of the work of improvement</p> <p>If the project owner has recorded a notice of completion, must record a claim of lien within 40 days thereafter</p> <p>Must serve a copy of the recorded notice of lien on the project owner within 30 days of the date the lien is recorded</p> <p>Suit to foreclose the claim of lien cannot be filed until 30 days after the lien is recorded and must be filed within 6 months after the lien is recorded</p> <p>Must file and serve a <i>lis pendens</i> with the lien foreclosure lawsuit and serve it on all other lienholders as well as publish notice of the lawsuit in a newspaper once a week for three successive weeks</p>	<p>Must record a claim of lien within 90 days of the later of: (1) the date that the last labor, materials or equipment is provided to the project or (2) the date of completion of the work of improvement</p> <p>If the project owner has recorded a notice of completion, must record a claim of lien within 40 days thereafter</p> <p>Must serve a copy of the recorded notice of lien on the project owner within 30 days of the date the lien is recorded</p> <p>Suit to foreclose the claim of lien cannot be filed until 30 days after the lien is recorded and must be filed within 6 months after the lien is recorded</p> <p>Must file and serve a <i>lis pendens</i> with the lien foreclosure lawsuit and serve it on all other lienholders as well as publish notice of the lawsuit in a newspaper once a week for three successive weeks</p>	<p>Must record a claim of lien within 90 days of the later of: (1) the date that the last labor, materials or equipment is provided to the project or (2) the date of completion of the work of improvement</p> <p>If the project owner has recorded a notice of completion, must record a claim of lien within 40 days thereafter</p> <p>Must serve a copy of the recorded notice of lien on the project owner within 30 days of the date the lien is recorded</p> <p>Suit to foreclose the claim of lien cannot be filed until 30 days after the lien is recorded and must be filed within 6 months after the lien is recorded</p> <p>Must file and serve a <i>lis pendens</i> with the lien foreclosure lawsuit and serve it on all other lienholders as well as publish notice of the lawsuit in a newspaper once a week for three successive weeks</p>
NH New Hampshire NH Rev. Stat. Ann. §§ 447:1 et seq.	Preliminary Notice:	None	<p>For maximum lien rights, notice of right to claim lien must be served on owner prior to the provision of materials or labor</p> <p>For maximum lien rights, an account of labor and materials provided must be served on owner every 30 days</p>	<p>For maximum lien rights, notice of right to claim lien must be served on owner prior to the provision of materials or labor</p> <p>For maximum lien rights, an account of labor and materials provided must be served on owner every 30 days</p>
	Claim of Lien:	<p>Lien created by statute must be perfected by complex writ system within 120 days of last provision of labor or materials; to perfect a lien, the contractor must commence suit for the amount owed, obtain an attachment, and record the attachment in the registry of deeds in the County where the property is located</p>	<p>Lien created by statute must be perfected by complex writ system within 120 days of last provision of labor or materials; to perfect a lien, the subcontractor must commence suit for the amount owed, obtain an attachment, and record the attachment in the registry of deeds in the County where the property is located</p>	<p>Lien created by statute must be perfected by complex writ system within 120 days of last provision of labor or materials; to perfect a lien, the supplier must commence suit for the amount owed, obtain an attachment, and record the attachment in the registry of deeds in the County where the property is located</p>

State

Prime Contractor

Subcontractor

Material Supplier

NJ
New Jersey

NJ Stat. Ann.
§§ 2A-44A-1 et
seq.

	Prime Contractor	Subcontractor	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 90 days (60 days if residential construction) 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>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 90 days (60 days if residential construction) 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>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 90 days (60 days if residential construction) 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>
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 within 10 calendar days following lodging for record of a lien claim</p> <p>Action must be commenced 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 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 <i>lis pendens</i> must also be filed</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 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 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 <i>lis pendens</i> must also be filed</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 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 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 <i>lis pendens</i> must also be filed</p>

State		Prime Contractor	Subcontractor	Material Supplier
NM New Mexico NM Stat. Ann. §§ 48-2-1 et seq.	Preliminary Notice:	None	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	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 120 days after the completion of the contract Action to enforce lien must be filed within 2 years after filing of the 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	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
NY New York NY 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; a copy of notice shall also be served on contractor, subcontractor, assignee, or legal representative who furnished materials Where the notice of lien is for retainage, the notice of lien may be filed within 90 days after the date the retainage was due to be released Lien may be filed during progress of work or within 8 months after the last work or materials provided by claimant, but if a single family dwelling, then within 4 months	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; a copy of notice shall also be served on contractor, subcontractor, assignee, or legal representative who furnished materials Where the notice of lien is for retainage, the notice of lien may be filed within 90 days after the date the retainage was due to be released Lien may be filed during progress of work or within 8 months after the last work or materials provided by claimant, but if a single family dwelling, then within 4 months	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; a copy of notice shall also be served on contractor, subcontractor, assignee, or legal representative who furnished materials Where the notice of lien is for retainage, the notice of lien may be filed within 90 days after the date the retainage was due to be released Lien may be filed during progress of work or within 8 months after the last work or materials provided by claimant, but if a single family dwelling, then within 4 months
	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	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	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

State		Prime Contractor	Subcontractor	Material Supplier
NC North Carolina NC Gen. Stat. §§ 44A-7 et seq.	Preliminary Notice:	<p>Provide Notice to Owner's Lien Agent within 15 days after first furnishing labor or materials</p> <p>Must provide contact information for Owner's Lien Agent to subcontractors and suppliers within 3 business days of contracting with them (or include that information in a written subcontract or purchase order)</p> <p>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</p>	<p>Provide Notice to Owner's Lien Agent within 15 days after first furnishing labor or materials</p> <p>Provide contact information for Owner's Lien Agent to lower tier subcontractors and suppliers</p> <p>If a Notice of Contract is filed by the prime contractor, then a second and third tier subcontractor must file a Notice of Subcontract</p>	<p>Provide Notice to Owner's Lien Agent within 15 days after first furnishing labor or materials</p> <p>Provide contact information for Owner's Lien Agent to lower tier subcontractors and suppliers</p> <p>If a Notice of Contract is filed by the prime contractor, then a second and third tier supplier must file a Notice of Subcontract</p>
	Claim of Lien:	<p>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</p> <p>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 <i>lis pendens</i> should also be filed</p>	<p>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</p> <p>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</p> <p>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 <i>lis pendens</i> should also be filed</p>	<p>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</p> <p>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</p> <p>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 <i>lis pendens</i> should also be filed</p>
ND North Dakota ND Cent. Code §§ 35-27-01 et seq.	Preliminary Notice:	<p>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</p>	<p>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</p>	<p>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</p>
	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>	<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>	<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>

State

Prime Contractor

Subcontractor

Material Supplier

OH

Ohio

OH Rev. Code
Ann. §§ 1311.01
et seq.

<p>Preliminary Notice:</p>	<p>None</p>	<p>Notice of furnishing must be served on owner by sub-subcontractor within 21 days of first furnishing work or material to project if owner filed a notice of commencement (different rules apply to liens upon gas and oil wells and certain residential dwellings); owner must file notice of commencement before the commencement of any work on the project</p>	<p>Notice of furnishing must be served on owner and general contractor by material supplier to subcontractor within 21 days of first furnishing work or material to project if owner filed a notice of commencement (different rules apply to liens upon gas and oil wells and certain residential dwellings); owner must file notice of commencement before the commencement of any work on the project</p>
<p>Claim of Lien:</p>	<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. ((60 days for certain dwelling and condominium properties; 120 days for gas and oil wells)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>	<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 (60 days for certain dwelling and condominium properties; 120 days for gas and oil 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>	<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 (60 days for certain dwelling and condominium properties; 120 days for gas and oil 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>

State

Prime Contractor

Subcontractor

Material Supplier

OK
Oklahoma

OK Stat. tit. 42,
§§ 141

	Prime Contractor	Subcontractor	Material Supplier
Preliminary Notice:	<p>Whenever a notice of lien has been filed with the county clerk and a condition occurs that would preclude the broker from receiving compensation under the terms of the written agreement on which the lien is based, the broker shall provide to the owner of record a written release or satisfaction of the lien</p> <p>An owner, lienee, or other authorized agent may serve written demand on the broker claiming the lien requiring the broker to file suit to enforce the lien</p> <p>Upon receipt of the written demand, the broker shall file suit within thirty (30) days, or the lien shall be extinguished; service of such written demand may be made by registered or certified mail, return receipt requested, or by personal service</p>	<p>Any person claiming a lien shall file a statement of the lien in the county clerk office within 4 months after the date upon which material or equipment used on said land was last furnished or labor last performed under contract</p> <p>prelien notice is required for commercial and industrial projects for those who do not have a direct contract with the owner</p> <p>The deadline is no later than 75 days after furnishing services.</p>	<p>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.</p>
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>A statement, verified by affidavit, setting forth the amount due from the contractor to the claimant, and the items thereof, as nearly as practicable, the name of the owner, the name of the contractor, the name of the claimant, and a legal description of the property upon which a lien is claimed</p> <p>A notice of lien should be mailed to the owner of the property on which the lien attached within five business days of filing the lien</p>	<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>	<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>

State

Prime Contractor

Subcontractor

Material Supplier

OR
Oregon

OR Rev. Stat.
§§ 87.001 et seq.

	Prime Contractor	Subcontractor	Material Supplier
Preliminary Notice:	<p>Notice of right to lien must be served on owner with respect to all material or labor provided on job in which a security interest is sought within 8 days of providing those materials or labor to the project unless materials or labor were provided at request of the owner; 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>	<p>Notice of right to lien must be served on owner with respect to all material or labor provided on job in which a security interest is sought within 8 days of providing those materials or labor to the project on residential project; no notice required on commercial projects. (later than this “8 day” notice is permitted, but limits claimants rights)</p>	<p>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)</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> <ol style="list-style-type: none"> 1. within 75 days after the last day of performance of labor, delivery of materials, or rental of equipment; or 2. within 75 days after the completion of construction <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>	<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> <ol style="list-style-type: none"> 1. within 75 days after the last day of performance of labor, delivery of materials, or rental of equipment; or 2. within 75 days after the completion of construction <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>	<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> <ol style="list-style-type: none"> 1. within 75 days after the last day of performance of labor, delivery of materials, or rental of equipment; or 2. within 75 days after the completion of construction <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>

State

Prime Contractor

Subcontractor

Material Supplier

PA
Pennsylvania

49 Pennsylvania Statute (P.S.) §§ 1101 et seq.

<p>Preliminary Notice:</p>	<p>None</p>	<p>If Owner has filed/posted a “Notice of Commencement” for project valued at \$1.5M plus, Subcontractor must file its “Notice of Furnishing” within 45 days after first performing work at the job site; subcontractor failing to provide such notice forfeits the right to file a lien</p> <p>Subcontractor must provide written notice of intent to file lien claim to Owner at least 30 days prior to filing its lien claim; therefore, Subcontractor must serve its notice of intent within 5 months after the last day of its contract work to allow sufficient time to file the lien claim after providing the notice of intent to the Owner</p>	<p>If Owner has filed/posted a “Notice of Commencement” for project valued at \$1.5M plus, Material Supplier must file “Notice of Furnishing” within 45 days after first furnishing materials to the project; Material Supplier failing to provide such notice forfeits the right to file a lien</p> <p>Material Supplier must provide written notice of intent to file its lien claim to Owner at least 30 days prior to filing its lien claim; therefore, Material Supplier must serve its notice of intent within 5 months after the last day of furnishing materials to allow sufficient time to file the lien after providing the notice of intent to the Owner</p>
<p>Claim of Lien:</p>	<p>Contractor must file its lien claim within 6 months after completion of its work. Contractor must serve notice of filing of lien claim on Owner within 1 month of filing, and must file an affidavit of service of the notice of filing of lien claim on Owner within 20 days of such service</p> <p>Action to obtain judgment upon a lien claim must be commenced within 2 years of the date of filing of such claim</p> <p>Final judgment must be entered within 5 years from date of filing of lien claim (deadline not applicable if diligently prosecuted)</p>	<p>Subcontractor must file its lien claim within 6 months after the completion of its work</p> <p>Subcontractor must serve notice of filing on Owner within 1 month of filing, and must file an affidavit of service of the lien claim on Owner within 20 days of such service</p> <p>Notwithstanding 6 month period of time within which to file a lien claim, Owner or Contactor may file, at any time after the completion of Subcontractor’s work, a “rule” requiring Subcontractor to file any lien claim within 30 days of notice of said rule; Subcontractor’s failure to comply with such time limit bars Subcontractor from fling its lien claim</p> <p>Action to obtain judgment upon a lien claim must be commenced within 2 years of date of filing of lien claim</p> <p>Final judgment must be entered within 5 years from date of filing of lien claim (deadline not applicable if diligently prosecuted)</p>	<p>Material supplier must file its lien claim within 6 months after the completion of its furnishing materials to the project; Material Supplier must serve notice of filing such lien claim on Owner within 1 month of filing, and must file affidavit of service of the lien claim on Owner within 20 days of such service</p> <p>Notwithstanding 6 month period of time within which to file a lien claim, Owner or Contactor may file, at any time after the completion of Material Supplier’s furnishing of materials, a “rule” requiring Material Supplier to file any lien claim within 30 days of notice of said rule; Material Supplier’s failure to comply with such time limit bars Material Supplier from fling its lien claim</p> <p>Action to obtain judgment upon a lien claim must be commenced within 2 years of date of filing of lien claim</p> <p>Final judgment must be entered within 5 years from date of filing of lien claim (deadline not applicable if diligently prosecuted)</p>

State		Prime Contractor	Subcontractor	Material Supplier
RI Rhode Island RI Gen. Laws §§ 34-28-1 et seq.	Preliminary Notice:	Notice of Possible Mechanic's Lien must be either (i) incorporated conspicuously in the written contract between owner and contractor or (ii) provided by contractor to owner at any time prior to commencing work or delivering materials, the failure of which waives any claim of lien of contractor and obligates contractor to indemnify and hold harmless owner from any payment or costs incurred in connection with subcontractor liens	None	None, unless contracting with owner, in which case Notice of Possible Mechanic's Lien must be either (i) incorporated conspicuously in the written contract between owner and material supplier or (ii) provided by material supplier to owner at any time prior to delivering materials, the failure of which waives any claim of lien of contractor and obligates contractor to indemnify and hold harmless owner from any payment or costs incurred in connection with subcontractor liens
	Claim of Lien:	<p>Notice of Intention to claim lien shall be executed under oath and shall be filed and served on the owner within 200 days after doing the work or furnishing the materials, which shall perfect the lien of contractor as to work done or materials furnished during the 200 days prior to the filing and thereafter, but not as to work done or materials furnished before the 200 days prior to the filing, any lien for which shall be void and wholly lost</p> <p>The lien claimant must (i) file a statutory form of Notice of <i>Lis pendens</i> with the appropriate records of land evidence and (ii) file a Complaint to Enforce the lien; the Complaint to Enforce must be filed within 7 days after filing the notice of <i>lis pendens</i>, and both the Complaint to Enforce and <i>lis pendens</i> must be filed within 40 days after the date of the recording of Notice of Intention to claim lien</p>	<p>Notice of intention to claim lien shall be executed under oath and shall be filed and served on the owner within 200 days after doing the work or furnishing the materials, which shall perfect the lien of subcontractor as to work done or materials furnished during the 200 days prior to the filing and thereafter, but not as to work done or materials furnished before the 200 days prior to the filing, any lien for which shall be void and wholly lost</p> <p>The lien claimant must (i) file a statutory form of Notice of <i>Lis pendens</i> with the appropriate records of land evidence and (ii) file a Complaint to Enforce the lien; the Complaint to Enforce must be filed within 7 days after filing the notice of <i>lis pendens</i>, and both the Complaint to Enforce and <i>lis pendens</i> must be filed within 40 days after the date of the recording of Notice of Intention to claim lien</p>	<p>Notice of intention to claim lien shall be executed under oath and shall be filed and served on the owner within 200 days after doing the work or furnishing the materials, which shall perfect the lien of material supplier as to work done or materials furnished during the 200 days prior to the filing and thereafter, but not as to work done or materials furnished before the 200 days prior to the filing, any lien for which shall be void and wholly lost</p> <p>The lien claimant must (i) file a statutory form of Notice of <i>Lis pendens</i> with the appropriate records of land evidence and (ii) file a Complaint to Enforce the lien; the Complaint to Enforce must be filed within 7 days after filing the notice of <i>lis pendens</i>, and both the Complaint to Enforce and <i>lis pendens</i> must be filed within 40 days after the date of the recording of Notice of Intention to claim lien</p>
SC South Carolina SC Code Ann. §§ 29-5-10 et seq.	Preliminary Notice:	To Owner 15 days of commencement of the work	Subcontractors should give notice to the Owner of the furnishing of labor or materials before the lien attaches	Material Suppliers should give notice to the Owner of the furnishing of labor or materials before the lien attaches
	Claim of Lien:	<p>Claim of lien must be filed and served on Owner within 90 days after ceasing to furnish labor or materials on the project</p> <p>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</p>	<p>Claim of lien must be filed and served on Owner within 90 days after ceasing to furnish labor or materials on the project</p> <p>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</p>	<p>Claim of lien must be filed and served on Owner within 90 days after ceasing to furnish labor or materials on the project</p> <p>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</p>

State		Prime Contractor	Subcontractor	Material Supplier
SD South Dakota SD Codified Laws (SDCL) §§ 44-9-1 et seq.	Preliminary Notice:	Within 15 days after completion of the contract, Owner may serve a written request for potential lien claimant to furnish an itemized and verified account of any lien claim, and action for enforcement of lien may not be commenced for 10 days after such account is furnished	If the Owner or Contractor has filed a "Notice of Project Commencement," second-tier (or below) Subcontractor must provide its notice of furnishing labor to Contractor and Owner within 60 days of last performing labor on the project Within 15 days after completion of a subcontract, Owner may serve written request for potential lien claimant to furnish an itemized and verified account of any lien claim, and action for enforcement of lien may not be commenced for 10 days after such account is furnished	If the Owner or Contractor has filed a "Notice of Project Commencement," Material Supplier must provide its notice of furnishing material to Contractor and Owner within 60 days of last furnishing material to the project Within 15 days after completion of a material supply contract, Owner may serve written request for potential lien claimant to furnish an itemized and verified account of any lien claim, and action for enforcement of lien may not be commenced for 10 days after such account is furnished
	Claim of Lien:	Lien claim must be filed within 120 days of last performing work on the project. Prior to filing such lien claim, Contractor shall mail a copy of its lien statement to Owner Action to enforce lien must be filed within 6 years of date of last performing work set forth in lien claim; provided, however, at any time after service of lien claim, Owner may serve demand to require lien claimant to commence suit to enforce lien within 30 days of such demand	Lien claim must be filed within 120 days of last performing work on the project. Prior to filing such lien claim, Subcontractor shall mail a copy of its lien statement to Owner Action to enforce lien must be filed within 6 years of date of last performing work set forth in lien claim; provided, however, at any time after service of lien claim, Owner or Contractor may serve demand to require lien claimant to commence suit to enforce lien within 30 days of such demand	Lien claim must be filed within 120 days of last furnishing of materials for the project. Prior to filing such lien claim, Material Supplier shall mail a copy of lien statement to Owner Action to enforce lien must be filed within 6 years of date of last furnishing of materials set forth in lien claim; provided, however, at any time after service of lien claim, Owner or Contractor may serve demand to require lien claimant to commence suit to enforce lien within 30 days of such demand
TN Tennessee TN Code Ann. 66-11-101 et seq.	Preliminary Notice:	Notice must be provided to owner prior to commencing work	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	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
	Claim of Lien:	Notice of Lien should be filed 90 days after improvement is completed or abandoned unless lienor's contract is recorded Suit to enforce a lien must be brought within 1 year from the date the work is finished or materials are furnished 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 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 Within 20 days after the property is attached in the suit, the claimant must record an abstract in the Register of Deeds Office	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 Subcontractor must give separate notice for each month in which unpaid services or supplies were provided Suit must be filed within 90 days of filing notice of lien and sworn statement 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 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 Within 20 days after the property is attached in the suit, the claimant must record an abstract in the Register of Deeds Office	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 Subcontractor must give separate notice for each month in which unpaid services or supplies were provided Suit must be filed within 90 days of filing notice of lien and sworn statement 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 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 Within 20 days after the property is attached in the suit, the claimant must record an abstract in the Register of Deeds Office



Texas

TX Prop. Code
§§ 53.001 et
seq.

	Prime Contractor	Subcontractor	Material Supplier
Preliminary Notice:	None	None	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 accrues” 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 not later than the first anniversary of the last day a claimant may file its lien affidavit; but that period may be extended to the second anniversary by written, recorded agreement</p>	<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 accrues” and a copy sent to the owner and general contractor 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 third month following each month in which all or part of the claimant’s labor was performed or material delivered (or, for residential construction projects, by the 15th day of the second month),</p> <p>Notices of claims for unpaid retainage must be sent to the owner and original contractor by the earlier of (1) the 30th day after the date the claimant’s contract is completed, terminated, or abandoned; or (2) the 30th day after the date the original contract is terminated or abandoned</p> <p>Suit for foreclosure of lien must be commenced not later than the first anniversary of the last day a claimant may file its lien affidavit; but that period may be extended to the second anniversary by written, recorded agreement</p>	<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 accrues” and a copy sent to the owner and general contractor 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 third month following each month in which the claimant receives and accepts the order for the material (or, for residential construction projects, by the 15th day of the second month)</p> <p>Notices of claims for unpaid retainage must be sent to the owner and original contractor by the earlier of (1) the 30th day after the date the claimant’s contract is completed, terminated, or abandoned; or (2) the 30th day after the date the original contract is terminated or abandoned</p> <p>Suit for foreclosure of lien must be commenced not later than the first anniversary of the last day a claimant may file its lien affidavit; but that period may be extended to the second anniversary by written, recorded agreement</p>

State

UT
Utah

UT Code Ann.
§§ 38-1A-501 et
seq.

Prime Contractor

Subcontractor

Material Supplier

	Prime Contractor	Subcontractor	Material Supplier
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)</p> <p>Preliminary notice has no effect if it is filed more than 10 days after the filing of a Notice of Completion</p> <p>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</p>	<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)</p> <p>Preliminary notice has no effect if it is filed more than 10 days after the filing of a Notice of Completion</p> <p>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</p>	<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)</p> <p>Preliminary notice has no effect if it is filed more than 10 days after the filing of a Notice of Completion</p> <p>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</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 <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>	<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>	<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>

State		Prime Contractor	Subcontractor	Material Supplier
VT Vermont VT Stat. Ann. tit. 9, §§1921 et seq.	Preliminary Notice:	None	Pre-lien notice allowed to set priority but not required	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>	<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>	<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>
VA Virginia VA Code ann. §§ 43-1 et seq.	Preliminary Notice:	None is required unless: (1) the project is a one or two story residential dwelling; and (2) the building permit names a mechanic's lien agent	None is required unless: (1) the project is a one or two story residential dwelling; and (2) the building permit names a mechanic's lien agent	None is required unless: (1) the project is a one or two story residential dwelling; and (2) the building permit names a mechanic's lien agent
		<p>If the project is a one or two story residential dwelling and 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>If the project is a one or two story residential dwelling and 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>	<p>If the project is a one or two story residential dwelling and 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>

State

Prime Contractor

Subcontractor

Material Supplier

VA
Virginia (cont.)
VA Code ann.
§§ 43-1 et seq.

Claim of Lien:

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

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

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

Suit to enforce the lien must be commenced within 6 months from the date the memorandum of lien was recorded or within 60 days from the time the structure was completed, or otherwise terminated, whichever is later

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

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

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

Suit to enforce the lien must be commenced within 6 months from the date the memorandum of lien was recorded or within 60 days from the time the structure was completed, or otherwise terminated, whichever is later

This category includes lower-tier subcontractors and 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

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

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

Suit to enforce the lien must be commenced within 6 months from the date the memorandum of lien was recorded or within 60 days from the time the structure was completed, or otherwise terminated, whichever is later

State		Prime Contractor	Subcontractor	Material Supplier
WA Washington WA Rev. Code §§ 60.04.011, et seq.	Preliminary Notice:	<p>Subject to limited exceptions for residential projects and commercial projects valued at less than \$60,000, a prime contractor does not need to serve a preliminary notice on the owner before commencing work</p> <p>Prime contractor must provide written notice to subcontractors and material suppliers of their rights to record a lien on a project, as well as post a notice of lien rights at the project site</p>	<p>Unless a subcontractor has contracted directly with a project owner or prime contractor, subcontractor must serve the project owner and the prime contractor with a preliminary notice within 60 days of its commencement of work on the project</p> <p>Can serve a late preliminary notice, but then subcontractor can only record a lien for labor and materials provided within 60 days prior to the service of the preliminary notice and any time thereafter</p>	<p>Unless a material supplier has contracted directly with a project owner or prime contractor, material supplier must serve the project owner and the prime contractor with a preliminary notice within 60 days of the date it first provided materials or equipment to the project</p> <p>Can serve a late preliminary notice, but then material supplier can only record a lien for materials and equipment provided to the project within 60 days prior to the service of the preliminary notice and any time thereafter</p>
	Claim of Lien:	<p>Must record a claim of lien within 90 days after the prime contractor has ceased to furnish labor, professional services, materials or equipment to the project or the last date on which employee benefit contributions were due</p> <p>Must provide project owner with notice of claim of lien within 14 days of the date the lien is recorded or prime contractor forfeits any right to recover attorneys' fees and costs against the project owner</p> <p>Must commence a lawsuit to foreclose on a lien within 8 calendar months of the date that the lien is recorded</p>	<p>Must record a claim of lien within 90 days after the subcontractor has ceased to furnish labor, professional services, materials or equipment to the project or the last date on which employee benefit contributions were due</p> <p>Must provide project owner with notice of claim of lien within 14 days of the date the lien is recorded or subcontractor forfeits any right to recover attorneys' fees and costs against the project owner</p> <p>Must commence a lawsuit to foreclose on a lien within 8 calendar months of the date that the lien is recorded</p>	<p>Must record a claim of lien within 90 days after the material supplier has ceased to provide materials or equipment to the project or the last date on which employee benefit contributions were due</p> <p>Must provide project owner with notice of claim of lien within 14 days of the date the lien is recorded or material supplier forfeits any right to recover attorneys' fees and costs against the project owner</p> <p>Must commence a lawsuit to foreclose on a lien within 8 calendar months of the date that the lien is recorded</p>
WV West Virginia WV Code §§ 38-2-1 et seq.	Preliminary Notice:	None	None required, but optional notice may be filed	None required, but optional notice may be filed
	Claim of Lien:	<p>Notice of lien must be recorded with county clerk's office within 100 days after completion of the contract; if owner is a non-resident or owner is not found, notice is satisfied if copy of notice is published as a legal advertisement in the county where the property lies, and a notice could be post conspicuously on the property</p> <p>Suit in chancery to enforce the lien must be instituted within 6 months after notice of the lien is filed</p>	<p>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 with a notice that includes amount owed; if owner is a non-resident or owner is not found, notice is satisfied if copy of notice is published as a legal advertisement in the county where the property lies, and a notice could be post conspicuously on the property</p> <p>Suit in chancery to enforce the lien must be instituted within 6 months after notice of the lien is filed</p> <p>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</p>	<p>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 with a notice that includes amount owed; if owner is a non-resident or owner is not found, notice is satisfied if copy of notice is published as a legal advertisement in the county where the property lies, and a notice could be post conspicuously on the property.</p> <p>Suit in chancery to enforce the lien must be instituted within 6 months after notice of the lien is filed</p> <p>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</p>

State		Prime Contractor	Subcontractor	Material Supplier
WI Wisconsin WI Stat. §§ 779.01 et seq.	Preliminary Notice:	<p>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</p> <p>This notice requirement may be waived under some circumstances for commercial projects (See Wis. Stat. § 779.02(1)(c))</p>	<p>Preliminary notice must be served on owner within 60 days after lien claimant first provides labor or material for improvement</p>	<p>Preliminary notice must be served on owner within 60 days after lien claimant first provides labor or material for improvement</p>
	Claim of Lien:	<p>Notice of intent to file lien must be served on owner at least 30 days before the timely filing of the lien claim; a copy of the filed claim for lien must be served to the owner within 30 days of filing the claim</p> <p>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</p> <p>Suit to foreclose on the lien must be filed within 2 years after the date that the lien claim was filed</p>	<p>Notice of intent to file lien must be served on owner at least 30 days before the timely filing of the lien claim; a copy of the filed claim for lien must be served to the owner within 30 days of filing the claim</p> <p>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</p> <p>Suit to foreclose on the lien must be filed within 2 years after the date that the lien claim was filed</p>	<p>Notice of intent to file lien must be served on owner at least 30 days before the timely filing of the lien claim; a copy of the filed claim for lien must be served to the owner within 30 days of filing the claim.</p> <p>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</p> <p>Suit to foreclose on the lien must be filed within 2 years after the date that the lien claim was filed</p>
WY Wyoming WY Stat. Ann. §§ 29-1-201 et seq.	Preliminary Notice:	<p>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</p>	<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>	<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>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</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>	<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>	<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>



“Seyfarth” and “Seyfarth Shaw” refer to Seyfarth Shaw LLP, an Illinois limited liability partnership. Our London office operates as Seyfarth Shaw (UK) LLP, an affiliate of Seyfarth Shaw LLP. Seyfarth Shaw (UK) LLP is a limited liability partnership established under the laws of the State of Delaware, USA, and is authorized and regulated by the Solicitors Regulation Authority with registered number 556927. Legal services provided by our Australian practice are provided by the Australian legal practitioner partners and employees of Seyfarth Shaw Australia, an Australian partnership. Seyfarth Shaw (賽法思律師事務所) is a separate partnership operating from Hong Kong as a firm of solicitors.