



Chris Griswold, P.C.

Message From Chris....

What if someone doesn't pay for work done to their property? When that happens (even before that happens), there are certain things and timelines that come into play. Since this type of situation is all too common and affects everyone in the business world - it's probably good information for everyone. Hopefully, this month's article on materialmen lien law proves helpful to contractors, bankers, lenders (and other creditors), those in title insurance, landlords, tenants, realtors and many other fields.

Materialmen Lien Law - Q&A

1. Are there any prerequisites to later filing a lien on a job? Yes, depending on the facts, a lien cannot later be filed on someone's property (including a tenant) for non-payment of work unless certain things were done beforehand.

2. What facts create prerequisites? If the person performing the work is a **subcontractor**.

3. If the person or entity performing the work is a subcontractor, what timelines must that subcontractor be aware of? That subcontractor must "pre-lien the job" (which means mail a certain notice to the property owner or landlord) within 75 days of performing the last work or providing the last materials at such job - unless it's a residential job. Furthermore, a lien must also later be filed upon such property within 90 days of such last date of work or provided materials.

4. What if the person or entity performing the work is a general contractor? In such an event, there is no pre-lien requirement.

5. As a general contractor with no pre-lien requirement, is there still something that must be done if a job goes unpaid? Yes. A lien must still be filed on the job by no later than **4 months** after such last date of work or provided materials.

6. Once a lien is filed (whether as a subcontractor or general contractor), what is the timeframe within which foreclosure of such lien must be sought, or lost? **1 year.**

What My Clients Are Saying

"I have been extremely pleased with the legal services provided by Chris. He is an expert on real estate issues; devotes immediate attention to our needs and follows through with

all required action. I look forward to a continuing relationship with Chris.”
Harrison Levy / Oklahoma City, Oklahoma

The information presented within this article is of a general nature and is not intended to be relied upon as legal advice in any particular matter without first consulting qualified counsel.

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