

A Notice of Intent to Lien is a statutory notice, required in many states, to be served prior to filing the mechanic's lien.



## BE CAREFUL!

Don't confuse a Notice of Intent to Lien with a statutory **Preliminary Notice.\*** 

\*aka Prelien Notice, Notice to Owner, Notice of Furnishing, Notice to Contractor, etc.

"I THOUGHT A **NOTICE OF** INTENT TO LIEN WAS A DEMAND FOR PAYMENT"

#### Typically, if you are serving a Notice of

WELL, IN A WAY, IT IS...

Intent to Lien, it is because you are unpaid and intend to pursue a mechanic's lien, but must first comply with statutory requirements. Often, the Notice of Intent to Lien is a

component of the mechanic's lien itself.

## "STILL SOUNDS LIKE DEMAND LETTERS & NOTICES OF INTENT ARE THE SAME THING."

Intention, a Formal Notice or a Notice of Non-Payment. While some may use the statutory term for the notice and "demand letter" interchangeably, NCS uses the terms provided by statute.

A notice of intent may sometimes, by statute, be called a Notice of

When a Notice of Intent(ion)/Notice of Non-Payment/Formal Notice is not required by statute, NCS recommends claimants serve a demand letter

before proceeding with a lien, as it may be enough to prompt payment, without expending the cost for a mechanic's lien. A demand letter, much like the name implies, is a demand for payment.

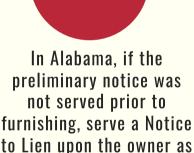
#### WHICH STATES HAVE A NOTICE OF INTENT TO LIEN?

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In Arkansas, serve a

Notice of Non-Payment

upon the owner within 75



soon as possible to trap funds, but prior to filing the lien.

In Connecticut, serve a

Notice of Intent upon the

owner and the prime

contractor within 90 days

from last furnishing

materials or services.

days from last furnishing materials or services, and a Notice of Intent within 10 days prior to filing the lien.

within 90 days from last furnishing materials or services.

In Illinois, serve a copy of

the notice of lien upon

the owner and the lender

of Intent upon the owner and prime contractor at least 10 days prior to filing the lien.

In Colorado, serve Notice

In Kentucky, serve a Notice of Intent upon

the owner within 120 days

from last furnishing

materials or services.



In Louisiana, serve a

Notice of Non-Payment

upon the owner and prime contractor within 75 days

from the last day of the

month for each month in

which materials were furnished, but within the period in which a lien must be filed.

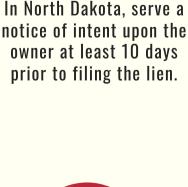
Notice of Intention upon the owner within 120 days after last furnishing materials or services.

In Maryland, serve a

at least 10 days prior to filing the lien.

In Missouri, serve a notice

of intent upon the owner



In Texas, serve 2nd & 3rd month notice upon the

owner and prime

contractor by the 15th

day of the 2nd and 3rd month following each month of furnishing.

In Pennsylvania, serve Formal Notice upon the owner at least 30 days prior to filing the lien.

contractor within 90 days from the last day of each month in which materials or services are provided.

owner at least 20 days

prior to filing the lien.

In Tennessee, serve Notice

of Non-Payment upon the

owner and prime

In Wyoming, serve a notice of intent upon the

In Wisconsin, serve a notice of intent upon the owner at least 30 days prior to filing the lien.

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### Please note: this information pertains to private commercial projects. "HOW DO I KNOW WHICH DOCUMENT TO SEND?"

# DON'T PANIC!

JUST ASK NCS! As a national service provider, our Notice & Mechanic's Lien Specialists

are available to provide you

with statutory guidelines.



From Protection to Collection This information is provided with the understanding that the publisher is not engaged in rendering legal advice. NCS recommends retaining an attorney for each case.