

Mechanic's Lien Notice

Effective January 1, 2011, California law requires a mechanic's lien claimant to serve a copy of the mechanic's lien and the attached Notice on the owner or reputed owner of the lien property by registered, certified or first class mail at the owner's residence or business address or the address shown on the building permit or the Construction Trust Deed recorded by the construction lender (if any). If the owner cannot be served in this manner, then the lien and notice must be served in the same manner on the construction lender or the original contractor. The lien claimant must prove compliance with these mailing requirements by a post office "certificate of mailing." Perhaps the safest method is to serve the lien and notice by first class certified mail, return receipt requested, and to obtain a "certificate of mailing" from the post office as soon as it is available. The lien claimant must also prepare and attach to the mechanic's lien, prior to recordation, a "proof of service affidavit" showing the name and address of the person(s) on whom the lien and notice are served along with the date, place and manner of service of the lien and notice. This is the same affidavit (sometimes called a Declaration) found in standard Preliminary Notices. Failure to serve the lien and notice in this manner shall cause the mechanic's lien to be unenforceable.

**NOTICE OF MECHANICS LIEN CLAIM
ATTENTION!**

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is release.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT www.cslb.ca.gov.