

10 Simple Mechanic's Lien Rules for Contractors and Subcontractors Doing Construction Business in the State of Illinois

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1. Illinois law does not require any type of Preliminary Notice or Notice of Furnishing at the start of a Private or Public construction project by a Subcontractor or Prime/General Contractor.
2. An **Subcontractors Notice of Filing a Mechanic's Lien** (Lien Warning Notice). You have 90 days to file a **Subcontractors Notice of Filing a Mechanic's Lien** if you are a Subcontractor who provided labor or materials at a **Private Commercial** jobsite. You have only 60 days if it is a **Private Residential** project. It is advisable that along with the owner any other legal parties related to the improvement of the property (Owner, Customer, Lender and General Contractor) get sent the **Subcontractors Notice of Filing a Mechanic's Lien**.
3. A General/Prime Contractor can file without warning an **Original Contractor's Claim For Lien**.
4. An **Subcontractors Claim of Lien** (Mechanic's Lien) must filed with the Recorder of Deeds in the County where the property is located.
5. An **Subcontractors Claim of Lien** (Mechanic's Lien) cannot be filed for projects that are City, County, State or Federal related – you can only seek to get reimbursed from the remaining funds for a project.
6. You have up to two years to file a **Subcontractors Claim For Lien** (Mechanic's Lien), if the original owner stills owns the property. However, if the original owner sells the building or location where labor or materials were provided, you need to file your **Subcontractors Claim For Lien** within four months of providing labor or materials for the project.
7. **Second tier subcontractors** (parties supplying labor or materials to a subcontractor) have all the lien rights that a Contractor/Subcontractor has.
8. **Professional fees, interest and attorney fees** are allowed to be included on lien claims.
9. To perfect a **Subcontractors Claim For Lien** (Mechanic's Lien), a subcontractor must file to foreclose in conjunction with the **General/Prime Contractor**, including any other legal parties with an interest in the property. Additionally, the notice must be published in a newspaper for three consecutive weeks that is in the area of the property.
10. **General/Prime contractors** cannot enforce a **No-Lien contract** on a subcontractor.