

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

Prepared by:

Craig R. Altman - President, TRADITION SOFTWARE, INC.

1. A **Prime/General Contractor** must notify an **Owner** that **Subcontractors** may protect their rights with a **Notice of Right to Lien**. Also, a **Prime/General Contractor** must notify all Subcontractors who the legal parties are on a project (Owner, Customer, Prime/General Contractor, and Lender).
2. A **Notice of Right To Lien** must be served to all legal parties on a project (Customer, Owner, General Contractor, Lender) within 31 days (Residential) after first furnishing construction related labor, professional services, materials, machinery, fixtures or tools to a jobsite. It must be delivered in person or by certified mail to the owner of the property along with any other legal parties related to the improvement of the property (Customer, Lender, General Contractor).
3. A **Notice of Right To Lien** is not required if you are the Prime/General Contractor, or are contracting directly with the owner.
4. A **Notice of Lien** (Mechanic's Lien). If the Owner has recorded a **Notice of Completion** or a Notice of Cessation, you have 40 days to file a Notice and Claim of Lien (Mechanic's Lien) with the County Recorders Office in the county where the project occurred. If a **Notice of Completion** has not been recorded by the Owner, you have 90 days to file a **Notice of Lien** (Mechanic's Lien) with the County Recorders Office where the project occurred if; (1) the improvement of the project is completed; (2) the final shipment of materials or equipment for the project is made; (3) the last performance of labor is provided by the claimant. It must be delivered in person, or by certified mail, to the owner of the property along with any other legal parties related to the improvement of the property (Customer, Lender, Prime/General Contractor). The labor or materials provided must have a value of \$500 or more.
5. If a **Notice Of Lien** is intended to be filed on the Owner of a Residence, a **Notice of Intent To Lien** must be sent to the Owner 15 days in advance of filing a **Notice of Lien**.
6. An **unlicensed contractor** can not use the Mechanic's Lien process in Nevada.
7. A **Lawsuit to Foreclose a Notice of Lien** (legal perfection of a Lien) must be filed after 30 days, but no more than six months of filing a **Claim of Lien** (Mechanic's Lien) at the County Recorders Office in the county where a project you provided construction related construction related labor, professional services, materials, machinery, fixtures or tools. It must be served upon the Owner and other legal parties within 30 days of it being filed at the County Recorders Office. It must also be published in a local newspaper for three consecutive weeks as a **Notice of Foreclosure**.
8. **Interest** and **legal** expenses are lienable on a **Notice of Lien**.
9. **General/Prime contractors** cannot enforce a **No-Lien contract** on a subcontractor.
10. A **Release of Notice To Lien** must be filed at the **County Recorders Office** within 10 days after receiving satisfactory payment for the amount owed in a **Notice of Lien**.