

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

Prepared by:

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

1. A **General/Prime Contractor** post at a jobsite for **Subcontractors** a **Construction Site Notice** for all projects in excess of \$5,000. It must contain a legal description of the jobsite and legal name/address/phone details on all the relevant legal parties to the project.
2. A **General/Prime Contractor** must present a **Notice to Customer** to the Owner prior to the start of a project. It must contain their State registration status, along with an explanation of their State lien rights.
3. A **General/Prime Contractor** does not have to file a **Notice to Owner** if they have a direct contract with the **Owner**.
4. A Subcontractor who does not have a direct contract with the owner must file a **Notice to Owner**. It should be served to all legal parties on a project (Customer, Owner, General Contractor and Lender). It can be sent at any time, but unlike most states, is good for the labor or materials provided for the previous sixty days (commercial or residential upgrades) or 10 days (new home construction). 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, Owner, General Contractor and Lender).
5. You have 90 days to file a **Claim of Lien** (Mechanic's Lien) in the county at the **County Auditors** office where the project occurred after the last day labor was provided at a jobsite or materials were delivered. All legal parties must be notified by Certified Mail or personal delivery of the **Claim of Lien** within 14 days of it being filed with the **County Auditor**.
6. A **Claim of Lien** (Mechanic's Lien) cannot be filed against the real estate for projects that are **City, County, State or Federal** related. You must go after the retainage for a Public project.
7. A **Claim of Lien** must be perfected through a foreclosure action at the **Superior Court** in the county where the project is located within eight months of the **Claim of Lien** being recorded.
8. **Legal** expenses and **interest** are lienable on a **Claim of Lien**.
9. **Anyone** who provides labor or material for the improvement of a property is eligible for Mechanic's Lien rights.
10. A **Claim of Lien** may be amended if you are within the 90 day period after the last day labor was provided at a jobsite or materials were delivered.