

SUMMARY OF STEPS TO PERFECT A LIEN IN WASHINGTON

1. Pre-Claim Notices

<u>When</u>	<u>Who</u>	<u>Action Required</u>
Before commencing construction.	All original contractors required to be registered under RCW 18.27 working directly for owners on: (a) the repair, alteration or construction of four or fewer residential units or accessory structures on residential property when the bid or contract price totals \$1,000 or more, or (b) the repair, alteration or construction of a commercial building when the bid or contract price totals \$1,000 or more, but less than \$60,000.	Provide <u>Notice to Customer</u> ; no special delivery method is required, so delivery can be by regular mail or delivery. However, because lien rights depend on proof that the owner received the notice before work started, we recommend obtaining the owner's signature acknowledging receipt of the notice.
<u>New construction of single family residence</u> : within 10 days (including weekend and holidays) of first supplying services, materials or equipment. <u>Commercial projects and Remodels or repairs of existing owner-occupied single family residences</u> : within 60 days of first supplying professional services, materials or equipment.	All material and equipment suppliers who do not contract directly with the owner. (There are exceptions, but for the purposes of material and/or equipment suppliers, they should always provide the preclaim notice unless they are contracting directly with the owner).	Provide <u>preclaim notice</u> to all owners and the prime contractor. Lenders do <u>not</u> have to receive this preclaim notice. Preclaim notice must be provided by certified or registered mail, or by serving the notice personally and obtaining evidence of service in the form of a receipt of other acknowledgment.
Between 6 and 35 days after payment is due the claimant under the claimant's contract or invoice.	All providers of professional services, original contractors, subcontractors, and suppliers. On all projects not having a payment bond of at least 50% of the amount of construction financing.	Provide a notice to real property lender (" <u>stop notice</u> ") to the interim or construction financing lender at its office that administers the interim or construction financing. The notice must also be provided to the owner and appropriate prime contractor. The notice must be given by certified or registered mail to the lender, owner and appropriate prime contractor, or delivering or serving the notice personally and obtaining evidence of delivery in the form of a receipt or acknowledgment signed by the lender, owner and appropriate contractor.

2. The Claim

<u>When</u>	<u>Who</u>	<u>Action Required</u>
Within 90 days of last substantial original performance of labor, delivery or materials, or rental of equipment.	All providers of professional services, original contractors, subcontractors, and suppliers.	Record claim of lien in county auditor or recorder's office where the subject property is located.

3. Post-Claim Notices

<u>When</u>	<u>Who</u>	<u>Action Required</u>
Within 14 days after lien recording.	All providers of professional services, original contractors, subcontractors, and suppliers who have recorded a claim of lien.	Provide a copy of the claim of lien to all owners by certified mail, registered mail or by personal service.

4. The Action

<u>When</u>	<u>Who</u>	<u>Action Required</u>
Within 8 months after recording of the claim of lien.	All providers or professional services, original contractors, subcontractors and suppliers who have filed a claim of lien.	File suit to foreclose claim of lien.

CONDOMINIUMS:

If labor, material, equipment or professional services are provided prior to the declaration of condominium being recorded, then the above rules are the same as if the project was not a condominium.

If, however, the services are provided after the condominium declaration is recorded, then a lien may be created only against individual units, and only after the owners of the individual units or their agents or construction agents request that the services be performed. In these situations, the notice to customer and preclaim notices must be furnished to the owner(s) of each individual unit. The claim of lien must also identify the individual units and their owner(s). Furthermore, the notice that a lien claim has been recorded must be provided to the owner(s) of the individual units within 14 days of the recording date.