

THE LAW FIRM FOR THE CONSTRUCTION INDUSTRY  
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**CARLIN LAW GROUP**  
A Professional Corporation



**FIRST STEP TO SECURE REMEDIES**

<b>PRIVATE WORKS</b>	<b>PRELIMINARY NOTICE</b>	Serve on property owner of record, direct contractor, and construction lender, if any. Recovery limited to labor, services, equipment, and/or materials provided to the jobsite after 20 days prior to service. See Civil Code § 8102-8202 for content and service requirements for preliminary notice.
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**AFTER PRELIMINARY NOTICE IS FILED**

<b>PRIVATE WORKS PAYMENT REMEDIES</b>	<b>LIEN CLAIM by General Contractor</b>	Record lien in county where property is located within <b>60 days</b> from recordation of <i>Notice of Completion</i> or <i>Cessation</i> . If no recorded <i>Notice of Completion</i> or <i>Cessation</i> , record lien within <b>90 days</b> of completion of entire work of improvement. (Civil Code § 8412). If cessation of labor, but no recorded <i>Notice of Cessation</i> , record lien within <b>150 days</b> from cessation. See Civil Code § 8180-9200.
	<b>LIEN CLAIM by Subcontractor or Material Supplier</b>	If recorded <i>Notice of Completion</i> or <i>Cessation</i> , record lien in county where property is located within <b>30 days</b> from recordation of NOC. (Civil Code §8414) However, time is extended on projects other than 4 or less residential units if you served proper Preliminary Notice and owner does not certified mail you the Notice of Completion. (Civil Code § 8190). If no recorded <i>Notice of Completion</i> or <i>Cessation</i> , record lien within <b>90 days</b> of completion of entire work of improvement. (Civil Code § 8414). If cessation of labor, but no recorded <i>Notice of Cessation</i> , record lien within <b>150 days</b> from cessation. See Civil Code § 8180-9200.
	<b>Complaint to Foreclose Lien</b>	File complaint in proper court within <b>90 days</b> after date of recordation of lien. Filing must occur in court located in county and judicial district where property is located to be effective. (Civil Code § 8460). File Lis Pendens in county where property is located to give prospective purchasers notice of lien and foreclosure action. (Civil Code § 8461).
	<b>Lien Release Bond</b>	If mechanic's lien release bond is issued, lien claimant must commence action on the bond within six months of the recording of the release bond. (Civil Code § 8424).
	<b>Bonded Stop Payment Notice</b>	To be effective against an existing loan, a stop payment notice to a construction lender must be bonded. See Civil Code § 8532, 8534, 8536. If owner financed, no need for a bond. Stop Notice and Bond (where necessary) via certified mail to construction lender and owner prior to expiration of lien claim period. (Civil Code §8508).
	<b>Complaint to Enforce Bonded Stop Payment Notice</b>	File in proper court after <b>10 days</b> from service of <i>Stop Payment Notice</i> and within <b>90 days</b> from expiration of lien recording period. (Civil Code §8550).
	<b>Notice to Principal &amp; Surety on Payment Bond</b>	Serve the 20 day preliminary notice by certified mail to principal and surety within <b>15 days</b> after recordation of <i>Notice of Completion</i> or, if no such Notice is recorded, then <b>75 days</b> after completion. (Civil Code §8612).