

# Utah Mechanic's Lien Law Summary Chart

Action	Time	Actor(s)	Notes
<b>Notice of Commencement (NOC)</b>	Depending on the situation: <ul style="list-style-type: none"> <li>• Within 15 days of issuance of the building permit, or</li> <li>• Within 15 days of commencement of construction</li> </ul>	Any of the following: <ul style="list-style-type: none"> <li>• Local gov. entity</li> <li>• General contractor</li> <li>• Lender</li> <li>• Owner</li> <li>• Any interested party</li> </ul>	File with the SCR
<b>Preliminary Notice (PN)</b>	Within 20 days of the later of: <ul style="list-style-type: none"> <li>• Commencement of work, or</li> <li>• The filing of the NOC</li> </ul>	All subcontractors and suppliers who do not have a contract with the owner	<ul style="list-style-type: none"> <li>• File with the SCR</li> <li>• Residential projects start using PNs in November 2005</li> </ul>
<b>Notice of Completion</b>	Notice of Completion may be filed upon final completion of the project. Final completion occurs after one of the following: <ul style="list-style-type: none"> <li>• After the certificate of occupancy is issued</li> <li>• After the local government final inspection</li> <li>• After there remains no substantial work to be completed to finish the work on the original contract</li> </ul>	Any of the following: <ul style="list-style-type: none"> <li>• General contractor</li> <li>• Owner</li> <li>• Lender</li> <li>• Surety</li> </ul>	<ul style="list-style-type: none"> <li>• File with the SCR</li> <li>• Deadline for filing PNs is shortened to 10 days once Notice of Completion is filed</li> </ul>
<b>Notice to hold and claim a lien</b>	90 days from date of final completion	Any lien claimant	File a written notice with the county recorder of the county in which the property is situated
<b>Deliver or mail copy of notice of lien to owner</b>	Within 30 days of filing the notice of lien with the county recorder	Any lien claimant	Deliver or mail to reported or recorded owner
<b>Filing lawsuit in court</b>	Within 180 days from the day on which the notice of claim is filed	Any lien claimant	<ul style="list-style-type: none"> <li>• File in a court of competent jurisdiction</li> <li>• When serving a residential owner with the complaint, the lien claimant must include: <ul style="list-style-type: none"> <li>▸ Instructions of the owner's rights under the Residence Lien Restriction and Lien Recovery Fund Act (Act)</li> <li>▸ An affidavit specifying how the owner may exercise his or her rights under the Act</li> <li>▸ An application for a Certificate of Compliance</li> </ul> </li> </ul>
<b>Record a pending action</b>	After the lawsuit is filed, within the same 180 day window as the filing of the lawsuit	Any lien claimant	File with the county recorder of the county in which the property is situated
<b>Apply for Certificate of Compliance</b>	Any time before, but within 30 days after, receiving the first summons and complaint in a lien foreclosure action	Property owner	<p>In general, to receive a Certificate of Compliance the owner must:</p> <ul style="list-style-type: none"> <li>• Have a written contract with a licensed contractor</li> <li>• Pay the contract in full</li> <li>• Occupy, or have a lessor occupy, the residence within 180 days</li> <li>• The property in question must be a single-family residence or duplex</li> </ul>
<b>Apply for reimbursement from the Fund</b>	Within one year from: <ul style="list-style-type: none"> <li>• The date judgement is entered against the nonpaying party, or</li> <li>• The date the nonpaying party files for bankruptcy</li> </ul>	Qualified Beneficiary	<p>In general, to collect from the fund the qualified beneficiary must:</p> <ul style="list-style-type: none"> <li>• File a civil action against the nonpaying party within the legal deadlines</li> <li>• Provide the owner with instructions, affidavit, and application in accordance with the Act</li> <li>• Obtain a judgment against the nonpaying party</li> <li>• Attempt to collect on the judgment</li> <li>• Complete and submit the claim application</li> </ul>

