

**38-13-202 Foreclosure on a lien.**

- (1) A repairman shall file a foreclosure action in a court of competent jurisdiction to enforce the lien filed under this chapter within 180 days from the day on which the repairman sends notice of the lien in accordance with Section 38-12-102.
- (2) In a foreclosure action filed under this section, the repairman or the repairman's attorney shall show by complaint to the court:
  - (a) that the repairman made, altered, repaired, or performed labor on the aircraft that entitles the repairman to a lien under this chapter;
  - (b) that the owner or other person entitled to possession of the aircraft requested that the repairman make, alter, repair, or perform labor described in Subsection (2)(a);
  - (c) that the repairman sent notice of the lien in accordance with Sections 38-12-102 and 38-13-201;
  - (d) that the person against whom the lien is filed failed to pay the amount owed within 30 days of the day on which the repairman sent the notice of lien described in Subsection (2)(c); and
  - (e) an itemized description of the amounts owed.
- (3) In a foreclosure action, the amount claimed by the repairman may include:
  - (a) work performed;
  - (b) materials;
  - (c) interest;
  - (d) storage fees charged; and
  - (e) any costs incurred by the repairman for using enforcement procedures under this chapter, including attorneys' fees.

Enacted by Chapter 187, 2005 General Session