

38-1a-209 Abuse of registry -- Penalty.

- (1) As used in this section, "third party" means an owner, an original contractor, a subcontractor, or any interested party.
- (2) A person abuses the registry if that person files a notice in the registry:
 - (a) without a good faith basis for doing so;
 - (b) with the intent to exact more than is due from the owner or any other interested party; or
 - (c) to procure an unjustified advantage or benefit.
- (3) A person who abuses the registry as described in Subsection (2) is liable to a third party who is affected by the notice for twice the amount of the actual damages incurred by the third party or \$2,000, whichever is greater.

Renumbered and Amended by Chapter 278, 2012 General Session