

**CHECKLIST FOR CONTRACTOR/ OWNER DEFENDING AGAINST A
MECHANIC'S LIEN CLAIM**

- Determine if there is a lienable improvement to the property;
- Check to see if there was a failure to give the preliminary notice, and whether such notice was properly served on all parties required.
- Determine if the notice of mechanic's lien was timely served;
- Look for a failure to commence a foreclosure lawsuit on the lien within 90 days from the recording of the mechanic's lien;
- Determine if lien rights were waived by the lien claimant (It is best to consult an attorney for this);
- Ask if the lien has been satisfied, removed or released
- Gather all contract documents and invoices from the particular job