



## **MECHANIC'S LIEN**

In Texas, subcontractors, suppliers and others may have legal claims against property that they helped remodel or improve. These claims, or mechanic's liens, allow certain workers to come after people, and their property, if they are not paid for their services or goods. This may help ensure that subcontractors and suppliers are not taken advantage of by general contractors, and others.

Generally, mechanic's liens are legal claims that may be placed against property that was developed, remodeled or improved. Under Texas state law, people may place these types of liens in the following situations:

1. They specially fabricate materials, even if the material is not delivered
2. They are architects, engineers or surveyors who prepare plans or plats
3. They provide labor or supplies for the landscaping, building or improvement of a home
4. They provide or perform labor or materials for the demolition of certain structures

Texas law also allows people to place mechanic's liens if they labor, or furnish labor or materials for the purpose of constructing or repairing houses, buildings, levees, embankments or railroads. The purpose of placing mechanic's liens is to secure payment. State law stipulates that such liens may be used to secure payment for labor or materials furnished for real estate construction or repairs. Additionally, mechanic's liens may be used to obtain compensation for specially fabricated materials. Architects, engineers and surveyors may also place these types of liens to guarantee payment for the preparation of plans or plats.

Workers cannot simply file these liens against people's property, however. Lien claimants must notify the property owner of the lien filing and, if it is appropriate, to the original contractor. They must provide this notice within five days of filing the lien.

There are numerous complexities that may be involved with the construction, repair or improvement of commercial real estate, and other properties, in Texas, and elsewhere. As such, it may benefit those who are performing services or providing goods in this field, and those who are receiving these services and goods, to consult with an attorney.

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