

Mechanic's Lien Workflow Checklist (D.C.)

TIMOTHY R. HUGHES, JUANITA F. FERGUSON, AND STEPHEN D. CARUSO,
BEAN KINNEY & KORMAN PC, WITH PRACTICAL LAW REAL ESTATE

Search the [Resource ID numbers in blue](#) on Westlaw for more.

A Checklist outlining the steps for creating, perfecting, and enforcing a mechanic's lien for work performed or materials furnished for the improvement of privately owned residential and commercial real property in the District of Columbia. This Checklist outlines pre-lien notice requirements for property owners and potential lien claimants and includes the requirements for filing a notice of lien and the steps to perfect and enforce a mechanics' lien after filing the notice of lien in Washington, D.C.

BEFORE FILING A MECHANIC'S LIEN

- Review the statutes governing mechanic's liens in D.C. (D.C. Code §§ 40-303.01 to 40-303.20a).
- Determine if the lien claimant is a person entitled to a mechanic's lien (see Practice Note, Mechanic's Liens in Practice (D.C.): Persons Entitled to a Mechanic's Lien ([W-016-3369](#))).
- Determine if the property against which the lien may attach is subject to a mechanic's lien, including leasehold interests (see Practice Note, Mechanic's Liens in Practice (D.C.): Property Interests Subject to a Mechanic's Lien and Mechanic's Liens Against Leasehold Interests ([W-016-3369](#))).

CREATE AND PERFECT A MECHANIC'S LIEN

- Prepare a notice of mechanic's lien using the form provided by the D.C. Office of the Recorder of Deeds. Use of the office of the

recorder of deed's form is not required. However, counsel should ensure that the information contained in the notice of mechanic's lien conforms to the requirements of the statute.

- Record the notice of mechanic's lien with the D.C. Office of the Recorder of Deeds during the construction, or within 90 days after the termination or completion of the project, whichever is earlier.
- Serve the notice of mechanic's lien on the property owner within five business days after the date of recording by either certified mail, return receipt requested, or posting the notice at the property if the certified mail is unclaimed or undelivered.

(See Practice Note, Mechanic's Liens in Practice (D.C.): Notice of Mechanic's Lien ([W-016-3369](#))).

ENFORCE THE MECHANIC'S LIEN

- File a civil complaint to enforce the lien within 180 days after recording the notice of mechanic's lien, including:
 - a brief statement of the contract on which the claim is based;
 - the amount due;
 - the date when the notice of lien was recorded;
 - a copy of the notice of mechanic's lien served on the property owner, if served;
 - the date the work was completed;
 - a legal description of the premises and the property address; and
 - a request for relief that the owner's interest in the property be sold and the sale proceeds be applied to satisfy the lien.
- (See Practice Note, Mechanic's Liens in Practice (D.C.): The Complaint ([W-016-3369](#))).
- Record a notice of pendency of action (lis pendens) with the office of the recorder of deeds within ten days after filing suit.
- (See Practice Note, Mechanic's Liens in Practice (D.C.): Time Limitation ([W-016-3369](#))).

- Include all necessary parties in the action to enforce the mechanic's lien.
- Determine the priority of applicable mechanic's liens (see Practice Note, Mechanic's Liens in Practice (D.C.): Priority of Liens ([W-016-3369](#))).

For more information, see Practice Note, Mechanic's Liens in Practice (D.C.): Enforcing the Mechanic's Lien ([W-016-3369](#)).

ABOUT PRACTICAL LAW

Practical Law provides legal know-how that gives lawyers a better starting point. Our expert team of attorney editors creates and maintains thousands of up-to-date, practical resources across all major practice areas. We go beyond primary law and traditional legal research to give you the resources needed to practice more efficiently, improve client service and add more value.

If you are not currently a subscriber, we invite you to take a trial of our online services at legalsolutions.com/practical-law. For more information or to schedule training, call **1-800-733-2889** or e-mail referenceattorneys@tr.com.