

# Express Lien

Colorado Lien Punchlist (Private)

## NOTICE REQUIREMENTS

- Notice of Intent to Lien must be delivered to the Owner 10 days before filing a lien. If party did not contract with the owner, Notice of Intent to Lien must be delivered to the Owner and Prime Contractor 10 days before filing a lien.
- Preliminary Notices are not required before work begins from any party to preserve lien rights.
- Notice to Owner is not required. However, anyone other than the prime contractor can deliver this notice to the property owner. The notice places a duty on the property owner to either pay the notifying party directly, or withhold enough funds to satisfy any claims the notifying party may make.

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## THE MECHANICS LIEN

Prime Contractors, Subcontractors, Sub-Subs, Architects, Engineers, Suppliers and Equipment Lessors all have lien rights in Colorado.

- Referred to as "Statement of Lien"
- In most cases, must be filed within 4 months from when materials, equipment, services or labor last delivered to the jobsite.
- On residential projects of one or two family homes, lien can be filed within 4 months, but will only be effective to good faith purchasers of a home if it is filed within 2 months from when materials, services, equipment or labor were first delivered.
- Action to enforce lien must be filed within 6 months from last delivery of work, labor, materials, etc., or the completion of the construction project, whichever is later.

### TERMINOLOGY

**Prime Contractor** is any contractor who contracts directly with the property owner.

**Last Day Work / Materials Furnished** does not include "punchlist" items or other trivial work.

**Lien Smarter...Get Paid**

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