

Construction Lien

Return To:

TO THE CLERK, COUNTY OF _____

In accordance with the terms and provisions of the "Construction Lien Law," P.L.1993, c. 318 (C. 2A:44A-1 et seq.), notice is hereby given that:

Claimant: (Name and Address)

Property Owner: (Name and Address):

Hiring Party: (Party that Hired the Claimant)

Services: (Description of work, services, labor, materials and/or equipment)

1. The above-identified **Claimant**, at the above-indicated address, has on this date, said date identified with the Claimant's signature within this Construction Lien, claimed a construction lien against the below stated real property owned by the above-named **Property Owner**, in the amount of: (\$ _____), for the value of the work, services, materials and/or equipment provided in accordance with a contract with the above-identified **Hiring Party**, for the work, services, materials and/or equipment above described as the **Services**.

2. The amount due for the **Services** provided by the **Claimant** in connection with the improvement of the real property, and upon which this lien claim is based, is as follows:

Total contract amount:	\$ _____
Amendments to contract:	\$ _____
Total contract amount and amendments to contract:	\$ _____
Less: Agreed upon credits:	\$ _____
Contract amount paid to date:	\$ _____
Amendments to contract amount paid to date:	\$ _____

TOTAL REDUCTIONS FROM CONTRACT AMOUNT
AND AMENDMENTS TO CONTRACT:

\$ _____

TOTAL LIEN CLAIM AMOUNT: \$ _____

(Check if Applicable) A Notice of Unpaid Balance and Right to File Lien was previously filed with the County Clerk of _____ County on _____ 20__ as No. _____ in Book _____ Page _____.

3. This construction lien is claimed against the interest of (name) as (check one):

Owner

Lessee

Other (describe): _____

in that certain tract or parcel of land and premises described as Block _____, Lot _____, on the tax map of the _____ of _____, County of _____, State of New Jersey, for the improvement of which property the aforementioned work, services, materials or equipment was provided.

4. The work, services, materials or equipment was provided pursuant to the terms of a written contract (or, in the case of a supplier, a delivery or order slip signed by the owner, contractor, or subcontractor having a direct contractual relation with a contractor, or an authorized agent of any of them), dated ____/____/20____ between the **Claimant** and the **Hiring Party**.

5. The date of the provision of the last work, services, material or equipment for which payment is claimed is ____/____/20____

NOTICE TO OWNER OF REAL PROPERTY

Your real estate may be subject to sale to satisfy the amount asserted by this claim. However, your real estate cannot be sold until the facts and issues which form the basis of this claim are decided in a legal proceeding before a court of law. The lien claimant is required by law to commence suit to enforce this claim.

The claimant filing this lien claim shall forfeit all rights to enforce the lien and shall be required to discharge the lien of record, if the claimant fails to bring an action in the Superior Court, in the county in which the real property is situated, to establish the lien claim:

1. Within one year of the date of the last provision of work, services, material or equipment, payment for which the lien claim was filed; or
2. Within 30 days following receipt of written notice, by personal service or certified mail, return receipt requested, from the owner requiring the claimant to commence an action to establish the lien claim.

You will be given proper notice of the proceeding and an opportunity to challenge this claim and set forth your position. If, after you (and/or your contractor or subcontractor) have had the opportunity to challenge this lien claim, the court of law enters a judgment against you and in favor of the claimant filing this lien claim, and thereafter you fail to pay that judgment, your real estate may then be sold to satisfy the judgment.

You may choose to avoid subjecting your real estate to sale by doing either of the following:

1. You (or your contractor or subcontractor) can pay the claimant and obtain a discharge of lien claim from the claimant; or
2. You (or your contractor or subcontractor) can cause the lien claim to be discharged by filing a surety bond or making a deposit of funds as provided for in section 31 of P.L.1993, c. 318 (C. 2A:44A-31).

If you (or your contractor or subcontractor) choose to pay the claimant under 1. above, you will lose your right to challenge this lien claim in a legal proceeding before a court of law.

If you (or your contractor or subcontractor) choose to discharge the lien claim by filing a surety bond or making a deposit of funds as provided in section 31 of P.L.1993, c. 318 (C. 2A:44A-31), you will retain your right to challenge this lien claim in a legal proceeding before a court of law.

NOTICE TO SUBCONTRACTOR OR CONTRACTOR:

This lien has been filed with the county clerk and served upon the owner of the real estate. This lien places the owner on notice that the real estate may be sold to satisfy this claim unless the owner pays the claimed sum to this claimant.

Signed _____
Signed for Claimant

Dated: ____ / ____ /20 ____

CLAIMANT'S REPRESENTATION AND VERIFICATION

Claimant represents and verifies that:

1. The amount claimed herein is due and owing at the date of filing, pursuant to claimant's contract described in the construction lien claim.

2. The work, services, material or equipment for which this lien claim is filed was provided exclusively in connection with the improvement of the real property which is the subject of this claim.

3. This claim has been filed within 90 days from the last date upon which the work, services, materials or equipment for which payment is claimed was provided.

4. The foregoing statements made by me are true, to the best of my knowledge. I am aware that if any of the foregoing statements made by me are false, this construction lien claim will be void and that I will be liable for damages to the owner or any other person injured as a consequence of the filing of this lien claim.

Signed _____
Signed for Claimant
Name and Address of Claimant:

Dated: ____/____/20____

PROOF OF SERVICE AFFIDAVIT

I, _____, being duly sworn, deposes and says that I am over the age of 18 years old, and that on the ____ day of _____, 20____, I served the attached Construction Lien to the following parties at these stated addresses:

[_____] Property Owner

[_____] Hiring Party

[_____] _____

[_____] _____

I served the attached document:

[_____] By personally delivering the notice to the identified parties;

[_____] By First Class Certified or Registered Mail service, postage prepaid.

State of _____
County of _____

Sworn to and subscribed before me, undersigned Notary Public, on the date inscribed to the right of this verification.

Notary Public

Signed this ____ day
of _____, 20____.

Agent for Claimant
Signed by: _____
Title: _____