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Chapter 713, Fla.Stat. Lien Check list
(applicable only where there is no payment bond for the project)

I. Contractors and Suppliers Contracting Directly with the Owner (F.S. § 713.05)

- A. Ensure that the owner has recorded and posted a Notice of Commencement prior to starting work or delivery of materials;
- B. Record a claim of lien within 90 days of final furnishing of labor, services, or materials;
- C. Serve a copy of the claim of lien on the owner either before or within 15 days of recording;
- D. Contractors only---serve Contractor's Final Payment Affidavit at least 5 days before filing suit to foreclose the claim of lien;
- E. File suit within 1 year of recording the claim of lien. (NOTE: if the owner records a "Notice of Contest" the suit must be filed within 60 days of the recording of the Notice of Contest).

II. Subcontractors and Suppliers Contracting with the General Contractor (F.S. § 713.06)

- A. Serve Notice to Owner on the owner and lender within 45 days of first furnishing labor, services, or materials, but in any event before final payment by the owner to the general contractor after furnishing of Final Contractor's Affidavit by general. A copy of the notice must be served on the contractor.
- B. Record a claim of lien within 90 days of final furnishing of labor, services, or materials;
- C. Serve copy of claim of lien on owner before or within 15 days of recording;
- D. File suit within one year of recording the claim of lien. (NOTE: If the owner records a "Notice of Contest" the suit must be filed within 60 days of the recording of the Notice of Contest).

III. Sub-Subcontractors and Suppliers contracting with Subcontractors

- A. Serve Notice to Owner on Owner, and copy on contractor and lender, within 45 days of first furnishing labor, services, or materials; but in any event before final payment to contractor after furnishing of final contractor's affidavit by general contractor;
- B. Record Claim of Lien within 90 days of final furnishing of labor, services, or materials;
- C. Serve a copy of claim of lien on owner before or within 15 days of recording;
- D. File suit within one year of recording the claim of lien. (NOTE: if the owner records a "Notice of Contest" the suit must be filed within 60 days of the recording of the Notice of Contest).

IV. Materialman to a Sub-subcontractor

- A. Serve Notice to Owner on owner, copy to contractor, subcontractor and lender, within 45 days of first furnishing labor, services and materials, but in any event before final payment to contractor after furnishing of final contractor's affidavit;
- B. Record claim of lien within 90 days of final delivery of materials;
- C. Serve copy of claim of lien on owner before or within 15 days of recording;
- D. File Suit within one year of recording the claim of lien. (NOTE: if the owner records a "Notice of Contest" the suit must be filed within 60 days of the recording of the Notice of Contest).