

## WASHINGTON CONSTRUCTION LIEN CHECKLIST

90<sup>th</sup> Day \_\_\_\_\_, 20\_\_ (#19)      8<sup>th</sup> Calendar Month \_\_\_\_\_, 20\_\_ (#27)

<u>To Do</u>	<u>Consider</u>
1. Lien Claimant's Name:	Call Secretary of State (360) 753-7115; Department of Labor and Industries (360) 902-5226 (for other than electrical contractors) or (360) 902-5269 (for electrical contractors). RCW 18.27.080; 60.04.041 (Prohibition on unregistered contractors filing liens).
2. Lien Claimant registered as contractor? Yes ____ No ____  If Yes, registration #:	See 1 above. RCW 18.27 or 19.28 (for electrical contractors - Department of Labor and Industries: (360) 902-5226 (for other than electrical contractors) or (360) 902-5269 (for electrical contractors)
3. Name of person/entity that employed Lien Claimant:	See 1 above. Also review contracts, invoices, credit applications and payments.
4. Contractor's Registration number of person/entity employing Lien Claimant:	See RCW 60.04.041. Call Department of Labor and Industries: (360) 902-5226 (for other than electrical contractors) or (360) 902-5269 (for electrical contractors). No lien rights unless person/entity employing lien claimant is registered.
5. Name of Owner(s) of property subject to lien:	See 1 above. Also review lien notices and title information.
6. Name of mortgagee(s) of property subject to lien:	See 1 above.
7. All names confirmed with Secretary of State and Department of Labor and Industries? ____ Yes ____ No.	Is the information the same? Are there any registration or non-registration issues?
8. Type of construction: ____ Residential ____ Commercial	
9. Claimant provided: Labor ____ Materials ____ Rental Equipment ____ Professional Services ____ (Engineer or Architect)	Review RCW 60.04.031 and 60.04.011.
10. Date of Claimant's bid/contract: Date Claimant started working:	See 1 above for registration issues. Review RCW 18.27.
11. Notice to Customer required? ____ No ____ Yes	Review RCW 18.27.114.
<b>12. If 11 is yes, give date of delivery of Notice to Customer and attach a copy.</b>	See RCW 18.27.114.
13. Preclaim Notice of Right to Claim a Lien Required? ____ No ____ Owners	Review RCW 60.04.031.
14. Date of mailing or service preclaim Notice of Right to Claim a Lien: Is there a receipt?	Review 60.04.031.

15. Has Claimant served a Stop Notice? ___ No ___ Yes; if yes, when? Has Lender paid any subsequent draw requests? ___ No ___ Yes	Review RCW 60.04.221.
16. Date project completed:	
17. Claimant's last day of work on the project:	Even repair, punchlist or trifling work; not just substantial original work. Do <u>not</u> consider warranty work.
18. Claimant's last day of substantial original work on the project (different than date in question 17 above?).	Only substantial original work; <u>not</u> any repair, warranty, punchlist or trifling work.
19. 90 days from Claimant's last day is:	Review RCW 60.04.091(2). Do not extend by agreement.
20. Original contract amount: \$ _____ Less payments of \$ _____ Change orders: +/- \$ _____ Backcharges: +/- \$ _____ Extra work orders: \$ _____	Review dates, amounts and applications for payment.
21. Total remaining owing: \$ _____ \$ _____ for labor \$ _____ for materials \$ _____ for rental equipment \$ _____ for services (Arch/Eng'r) \$ _____ for sales tax	Review RCW 60.04.091. Avoid non-segregated items, and do not overstate. Review RCW 60.04.081.
22. Claimant is entitled to _____% interest per annum beginning: _____	Review contract. <i>Pacific Erectors v. Gall Landau Young</i> , 62 Wn App 158 (1991) (for contract rate). Review RCW 19.52.010 (statutory interest)
23. Address of property subject to lien:	Review preclaim notices, title information and building permits.
24. Legal or other description of property subject to lien (include county):	See 23 above.
25. Who will sign the lien? Title:	RCW 60.04.091(2). Attorneys should <u>not</u> sign liens; personal knowledge/verification issue and witness issue.
26. Date Lien recorded: Document No:	See 19 above! Review RCW 60.04.091(2). Make a copy of lien before recording.
27. 8 calendar months from recording date is:	Review RCW 60.04.141. Last day to file foreclosure suit. Do not extend by agreement.
28. 14 days from recording is:	Review 60.04.191(2). Notice of lien recording and copy of lien must be served on all owners by personal service, certified mail, or registered mail within 14 days of lien recording in order to preserve right to attorney fee recovery in any foreclosure suit.
29. Date Notice of lien recording sent: Receipts:	See 28 above.
30. Date foreclosure report ordered: From: Order No.	See 26 above. Order 6 calendar months after lien recording to ensure enough time to file foreclosure action timely.

31. Lien release bond recorded? ___ No ___ Yes	Review RCW 60.04.161
32. Date complaint filed: Case No.: Filed in _____ County, Washington	
33. Date lis pendens notice recorded: Auditor's/Recorder's No.:	
34. 90 days from the date the complaint is filed is:	Review 60.04.141
35. Date service affected on all owners:	See 32 and 34 above.
36. Date lien satisfaction/release recorded: Auditor's/Recorder's No.:	
37. Date of judgment: Signed: Filed: Entered:	
38. Date lis pendens notice release recorded: Auditor's/Recorder's No.:	