

PRIME CONTRACTOR* NOTICE OF LIEN RIGHTS

§799.02(2)(a), Wis. Stats.

Date: _____

Two copies of this Notice are being given to the Owner (check one) :

Attached to the written contract between Prime Contractor and Owner

OR

Within ten (10) days after commencement of construction under oral contract by (check one):

Registered Mail – Return Receipt Requested – OR –

Hand Delivered

Owner's Name: _____

Owner's Address: _____

YOU ARE HEREBY NOTIFIED THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON YOUR PROPERTY LOCATED AT:

MAY HAVE LIEN RIGHTS ON YOUR LAND AND BUILDINGS IF THEY ARE NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED PRIME CONTRACTOR, ARE THOSE WHO CONTRACT DIRECTLY WITH YOU OR THOSE WHO GIVE YOU IDENTIFICATION NOTICE WITHIN SIXTY (60) DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION.

YOU PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR AND MATERIALS FOR THE CONSTRUCTION. YOU SHOULD GIVE A COPY OF EACH NOTICE YOU AGREES TO COOPERATE WITH YOU AND YOUR LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID.

PRIME CONTRACTOR NAME: _____

By: _____

Authorized Agent's Name _____

Title: _____

Address: _____

Telephone : _____

*A prime contractor is anyone who provides labor and/or materials for construction under a contract directly with the Owner of the Property being improved. See §799.01(2)(d), Wis. Stats.

PRIME CONTRACTOR* CLAIM FOR LIEN

§799.02(2)(a), Wis. Stats.

Date: _____

To the Clerk of Court for _____ County, State of Wisconsin:

1. Claimant's Name: _____

Claimant's Address: _____

Claimant is a: corporation limited liability company partnership
 sole proprietorship individual assignee
 other: _____

2. Owner(s)'s Name: _____

Owner(s)'s Address: _____

3. Legal Description of Owner's Property improved by Claimant is:

attached to this Claim for Lien

described as: _____

located in _____ County, Wisconsin and more commonly known as:

(street address)

4. Description of labor and/or materials furnished by Claimant to improve Owner's Property:

under a written contract dated: _____

other (specify) : _____

5. Date of first visible commencement of the entire work of improvement
on the property (whether by Claimant or others): _____

6. Date Claimant first furnished labor or materials: _____

7. Date Claimant last furnished labor or materials: _____

*A Prime Contractor is anyone who provides labor and/or materials for construction under a contract directly with the Owner of the Property being improved. See §799.01(2)(d), Wis. Stats.
Prime Contractor Claim for Lien

8. Prime Contractor's Notice of Lien Rights was (check as applicable):

- Given to the Owner as part of the Claimant's written contract for construction with the Owner
- Given to the Owner by registered mail or hand delivery within ten (10) days after first furnishing labor and materials under an oral contract.
- Not give to the Owner because (check one):
 - No subcontractors or material suppliers worked for Claimant in improving the Owner's Property.
 - This is a residential construction of more than a four-family building.
 - This was a non-residential construction where more than 10,000 square feet of useable floor space was provided or added.
 - Prime Contractor, or its officer(s), or controlling shareholder(s), hold(s) an interest in Owner's Property.
 - Prime Contractor is managed or controlled by a corporation or company which owns the Property.
 - Claimant has fully paid all its obligations to subcontractors and/or material suppliers for their work improving the Property AND the lien rights of all Claimant's subcontractors and/or material suppliers have lapsed.
 - Other: _____

9. Date Claimant's Notice of Intention to File Claim for Lien was given

to Owner: (must be at least 30 days before the filing of this Claim for Lien):

10. Total amount owed to Claimant:

\$ _____

Amount paid or otherwise satisfied to date:

\$ (_____)

AMOUNT CLAIMED:

\$ _____

Together with interest at the (check one):

- Statutory Rate of 5% per year.
- Contract Rate of _____% per year.
- No interest is recoverable.

STATEMENT OF CLAIM

Claimant makes and files this claim for a lien upon the interest held by the Owner in the Property under Chapter 779, Wis. Stats., not more than six (6) months after Claimant certifies to the best of Claimant's knowledge and belief that all information contained in this Claim for Lien is correct. Based upon the above information, Claimant claims a lien upon all of the interest which the Owner has in the above described Property and improvements on it at the time of first visible commencement of the work of improvement, or that Owner may have acquired since that time, in the amount of Dollars (\$_____), plus interest and the costs of enforcing this lien to the extent allowed by law.

This Claim is subject to amendment in the event foreclosure action is commenced.

Claimant's Name:

By:

Authorized Agent's Name:

Title:

Address:

Telephone

The following must be attached to this Claim for Lien:

- Legal Description (unless fully set forth in Paragraph 3 above).
- Copy of Prime Contractor's Notice of Lien Rights (unless not provided to Owner as indicated in Paragraph 8 above).
- Copy of Prime Contractor's Notice of Intention to File Claim for Lien

FILING A CONSTRUCTION LIEN

Construction Liens must be filed with the Clerk of Courts within six (6) months of the last day of work. Forms are available at most office supply stores.

When filing a construction lien you must provide the following:

1. Claim for Lien Form
2. Notice of Intent
 - a. Original must be sent to the property owner 30 days before filing claim (this does give the chance to make good on the claim) – the 30 days starts after the hand delivery/signing for service for the certified/registered mail or other personal service delivery. This does need to land within the 6 months of the last date of work done, if not, could choose to file a civil or small claims action. We are unable to calculate any time frames.
 - b. Make copies of the original Notice of Intent so you have it to file along with the Claim for Lien form
3. Proof of Service
 - a. Include the green card from certified/registered mail.
 - b. Any other confirmation of receipt/service.
4. Filing fee
 - a. \$5.00

We are unable by statute to give legal advice. This is for informational purposes only. If you have questions, please consult an attorney or reference §799.02, Wis. Stats. We do have copies of the statutes available for \$5.50.

PRIME CONTRACTOR* NOTICE OF INTENTION TO FILE CLAIM FOR LIEN

§799.02(2)(a), Wis. Stats.

Date: _____

One copy of this Notice are being given to the Owner (check one) :

Attached to the written contract between Prime Contractor and Owner
OR

Within ten (10) days after commencement of construction under oral contract by (check one):

Registered Mail – Return Receipt Requested – OR –

Hand Delivered

Owner's Name: _____

Owner's Address: _____

The undersigned Prime Contractor, having a contract directly with you, provided materials and/or labor for:

_____ to improve your property located at:

and, as of the date of this Notice, is owed the sum of \$ _____ .
(Amount due)

If payment in full is not received within thirty(30) days from the date of this Notice, the Prime Contractor intends to file a Claim for Lien on your Property.

Prime Contractor Name _____

By: _____

Authorized Agent's Name: _____

Title: _____

Address: _____

Telephone: _____

*A prime contractor is anyone who provides labor and/or materials for construction under a contract directly with the Owner of the Property being improved. See §799.01(2)(d), Wis. Stats.

SUBCONTRACTOR* CLAIM FOR LIEN

§799.06, Wis. Stats.

Date: _____

To the Clerk of Court for _____ County, State of Wisconsin:

1. Claimant's Name: _____

Claimant's Address: _____

Claimant is a: corporation limited liability company partnership

sole proprietorship individual assignee

other: _____

2. Owner(s)'s Name: _____

Owner(s)'s Address: _____

3. Legal Description of Owner's Property improved by Claimant is:

attached to this Claim for Lien

described as: _____

located in _____ County, Wisconsin and more commonly known as:

(street address)

4. Description of labor and/or materials furnished by Claimant to improve Owner's Property:

under a written contract dated: _____

other (specify) : _____

5. Date of first visible commencement of the entire work of improvement

on the property (whether by Claimant or others): _____

6. Date Claimant first furnished labor or materials: _____

7. Date Claimant last furnished labor or materials: _____

*A Subcontractor is anyone who provides labor and/or materials for construction under a contract with any party except the Owner of the property being improved. See §799.06, Wis. Stats.

Subcontractor Claim for Lien

Page 1 of 2

8. Subcontractor's Identification Notice was (check as applicable):

- Given to the Owner by registered mail or hand delivery within sixty (60) days after first furnishing labor and materials.
- Not give to the Owner because (check one):
 - This is a residential construction of more than a four-family building.
 - This was a non-residential construction where more than 10,000 square feet of useable floor space was provided or added.
 - Prime Contractor, or its officer(s), or controlling shareholder(s), hold(s) an interest in Owner's Property.
 - Prime Contractor is managed or controlled by a corporation or company which owns the Property.
 - Claimant is a laborer or mechanic employed by a prime contractor or subcontractor.
 - Other: _____

9. Date Claimant's Notice of Intention to File Claim for Lien was given to Owner: (must be at least 30 days before the filing of this Claim for Lien): _____

10. Total amount owed to Claimant: \$ _____

Amount paid or otherwise satisfied to date: \$ (_____)

AMOUNT CLAIMED: \$ _____

Together with interest at the (check one):

- Statutory Rate of 5% per year.
- Contract Rate of _____% per year.
- No interest is recoverable.

STATEMENT OF CLAIM

Claimant makes and files this claim for a lien upon the interest held by the Owner in the Property under Chapter 779, Wis. Stats., not more than six (6) months after Claimant certifies to the best of Claimant's knowledge and belief that all information contained in this Claim for Lien is correct. Based upon the above information, Claimant claims a lien upon all of the interest which the Owner has in the above described Property and improvements on it at the time of first visible commencement of the work of improvement, or that Owner may have acquired since that time, in the amount of Dollars (\$ _____), plus interest and the costs of enforcing this lien to the extent allowed by law.

This Claim is subject to amendment in the event foreclosure action is commenced.

Claimant's Name: _____

By: _____

Authorized Agent's Name: _____

Title: _____

Address: _____

Telephone: _____

The following must be attached to this Claim for Lien:

- Legal Description (unless fully set forth in Paragraph 3 above).
- Copy of Prime Contractor's Notice of Lien Rights (unless not provided to Owner as indicated in Paragraph 8 above).
- Copy of Prime Contractor's Notice of Intention to File Claim for Lien