

**Deadline for filing lien documents by design professionals under amended version of SB 1806 and HB 1769**

**Deadlines for filing lien documents by contractors and subs under MGL. 254**

Notice of contract must be filed before recording of construction mortgage for the design professional's lien for pre-construction services to take precedence over the construction mortgage, thus encouraging design professionals to file their liens early if they are not paid for pre-construction services

Notice of termination procedure does not apply to design professionals unless they are subs to contractors

Notice of identification procedure does not apply to design professionals unless they are sub-subs to contractors

Deadline for filing notice of contract if notice of substantial completion has been filed

Deadline for filing statement of account if notice of substantial completion has been filed

After service were last performed under the applicable contract with the owner, deadline for filing notice of contract if no notice of substantial completion has been filed or professional services have been terminated early

After service were last performed under the applicable contract with the owner, deadline for filing statement of account if no notice of substantial completion has been filed or professional services have been terminated early

A lawsuit must be commenced within 90 days after a design professional's statement of claim is filed. "Section 14 lien bonds" do not apply to design professionals

**Pre-Construction Period**

Recording of Construction Mortgage

**Construction Period**

**A** – Recording of Substantial Completion

**B** – Last Work Performed by Anyone Under Contract With Owner

**Post-Construction Period**

60 Days from **A**

90 Days from **A**

90 Days from **B**

120 Days from **B**

If prime construction contract is terminated, filing notice of termination starts 90-day clock for filing notice of contract and 120-day clock for filing statement of account

Sub-subcontractor sends notice of identification to contractor within 30 days of starting work to preserve lien rights

Notice recorded jointly by owner and contractor, starts clock running on deadlines for filing notice of contract and statement of account

Starts clock running if no notice of substantial completion has been filed

Deadline for filing notice of contract if notice of substantial completion has been filed

Deadline for filing statement of account if notice of substantial completion has been filed

Deadline for filing notice of contract if **no** notice of substantial completion has been filed

Deadline for filing statement of account if **no** notice of substantial completion has been filed

Commence law suit within 90 days of actually recording statement of account or receipt of notice of recording per Section 14 lien bond