

Which Mechanics Lien Form Do I Choose?

1. Has ANY work been done? Is any work contemplated?

If **NO**, then get a signed **NCLTA Form 1** from:

- **every Seller** (*if sale*) or
- **every Borrower** (*if refinance*).

If the purchaser has contracted for or is contemplating improvements, but is not yet the “owner”, follow ¶ 3 Below.

2. Did Project Begin before 4/1/2013, or NO Mechanic’s Lien Agent (MLA) has been named (and none is required*)? If so,

a. Has all construction been completed?

If **YES**, then **NCLTA Form 2 (Waiver)** signed by:

- **ALL** Owners
- **ALL** Contractors (anyone who dealt directly with Owner)

b. Is a construction loan required, but work has not finished (and need not have begun)?

If **YES**, the **NCLTA Form 3 (Subordination)** signed by:

- **ALL** Owners
- **ALL** Contractors (anyone who dealt directly with Owner)

3. Did Project Begin after 4/1/2013, and a Mechanic’s Lien Agent (MLA) been named? If so,

a. Has all construction been completed?

If **YES**, then

- NCLTA Form 5** signed by **ALL** Owners
- NCLTA Form 6 (Waiver)** signed by:
 - **ALL** Persons shown as Potential Lien Claimants on LiensNC.com website, and
 - **ANYONE** whose **FIRST day** on the jobsite was within 15 days of closing

b. Is a construction loan required, but work has not finished?

If **YES**, then

- NCLTA Form 5** signed by **ALL** Owners
- NCLTA Form 7 (Subordination)** or **Form 6 (Waiver)** signed by:
 - **ALL** Persons shown as Potential Lien Claimants on LiensNC.com website, and
 - **ANYONE** whose **FIRST day** on the jobsite was within 15 days of closing

4. Did Project Begin after 4/1/2013, and a Mechanic’s Lien Agent (MLA) has not been named, but is required*, and the project is not complete? If so, have an MLA appointed AND follow ¶2(b).

***An MLA is NOT required:**

- When improvements were first contracted before April 1, 2013, or
- Project value is less than \$30,000 at time building permit issued, or
- Solely for improvements to owner’s **existing** residence.