

A wide-angle photograph of a large-scale construction project. In the foreground, a worker wearing a red shirt and dark pants stands on a concrete structure, working on a steel reinforcement cage. The ground is covered with wooden formwork panels and various construction materials. In the middle ground, several orange tower cranes are visible against a clear blue sky. A prominent, modern-looking building with a grid-like facade is under construction in the background. The overall scene conveys a sense of industrial activity and urban development.

Enforcing Mechanic's Liens

By Attorney Alan Cohen

Enforcing Mechanic's Liens



A mechanic's lien is a legislative tool which allows you to put a lien on property which you have improved, even though you have no Contract with the owner. It is a highly technical statute which is not enforced unless you follow its strict guidelines because of its highly unusual remedy. When used properly and timely, it provides security to suppliers, sub-sub contractors, subcontractors, general contractors who have provided materials and/or labor used to improve a non-public parcel of land.

Early Filing

In Massachusetts, your lien is most effective if you file the Notice of contract or, if you are a sub-subcontractor, notice of identification immediately before or immediately after you provide work and/or materials to the jobsite. The reason for this is that mechanic's liens in Massachusetts are limited to monies that are owed or will be owed by the owner to the general contractor and/or the general contractor to the contractor. Unlike other states, in Massachusetts, the owner can only be forced to pay once for the labor and/materials. If you wait until the last minute of your statutory rights you may be SOL as a practical matter.

Enforcing Mechanic's Liens

Filing and recording a mechanic's lien in Massachusetts is complicated and should be done with an experienced attorney's guidance. Rigid filing requirements of notices and documents have time deadlines that, if missed or done improperly, result in lien dissolutions.

In Summary

The Massachusetts mechanic's lien procedure is complex. If one step is missed or is not filed within the required deadline, the whole process has failed.

It is wise to consult our attorney who has over 25 years of years of experience with mechanic's liens. Mechanic's liens are a powerful resource for qualified people seeking to be paid for their part in improving real estate, but it is not simple process.

We know the statutes involved with the process of filing a mechanic's lien in Massachusetts and we are familiar with the strict nature of complying with the statute requirements in order to get payment for services and/or supplies rendered.

Call us at 508-620-6900 or email us at alanmcohen@collections-law.com. Let us help.