



Iowa's New Mechanic's Lien Law - Notices From the Secretary of State

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Recently, I have had several people ask me about the notices that homeowners will receive under the new Mechanic's Lien Law applicable to residential projects. Under the new law, the Secretary of State's office will send out various notices to the homeowner.

At the time the initial pre-lien notice (termed the Notice of Commencement) is filed/posted in the Online Registry, the Secretary of State's office will send out a notice to the homeowner with the following language:

Persons or companies furnishing labor or materials for the improvement of real property may enforce a lien upon the improved property if they are not paid for their contributions, even if the parties have no direct contractual relationship with the owner. The state construction registry provides a listing of all persons or companies furnishing labor or materials who have posted a lien or who may post a lien upon the improved property. If the person or company has posted its notice or lien to the state construction registry, you may be required to pay the person or company even if you have paid the general contractor the full amount due. Therefore, check the state construction registry internet website for information about the property including persons or companies furnishing labor or materials before paying your general contractor. In addition, when making payment to your general contractor, it is important to obtain lien waivers from your general contractor and from persons or companies registered as furnishing labor or materials to your property. The information in the state construction registry is posted on the internet website of the state construction registry.

At the time any subsequent pre-lien notice (termed a Preliminary Notice) is filed/posted in the Online Registry, the Secretary of State's office will send out a similar notice.