

# HOW TO FILE A MECHANIC'S LIEN IN BROOKLYN, NY

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# Gather Information

➤ You will need: 1) name of the property owner; 2) description of the property (preferably by section, block and lot); 3) name of your client; 4) name of the general contractor (if not your client); 5) amount you are due; 6) date when you first provided labor or materials; 7) date when you last provided labor or materials

# Prepare Your Mechanic's Lien

## 1. Fill Out the Mechanic's Lien Form

- i. Enter name and address of the lienor
- ii. Enter name of the owner
- iii. Enter name of the general contractor
- iv. Enter name of the person for whom you provided labor or materials
- v. Enter the total contract value and the total amount unpaid and the amount for which you want to lien
- vi. Enter the dates when you first and last performed work or provided materials
- vii. Enter the property description (address, section, block and lot)
- viii. If you do not have an office within the State of New York, you must identify an attorney within New York upon whom service can be made.

2. You must sign and verify your mechanic's lien. A verification must be notarized.
  - i. A verification should be signed by an officer of the company but may be signed by any authorized agent of the company.

# SERVE THE MECHANIC'S LIEN

The mechanic's lien must be served upon the owner of the property, upon the general contractor and upon any subcontractor above you in the contract chain. The most common method of service of a mechanic's lien in New York is certified mail, return receipt requested. The affidavit of service must then be filed with the County Clerk within 30 days after the lien is filed.

# FILE THE ORIGINAL MECHANIC'S LIEN

The original mechanic's lien must then be filed with the Queens County Clerk's office. Go to the County Clerk at 360 Adams Street, Brooklyn, New York and file the mechanic's lien with the Lien Clerk. There is a fee of \$30.00 to record the mechanic's lien and \$5.00 to record the affidavit of service. The clerk will stamp your mechanic's lien and you should keep a file of the stamped lien in your file.

# DON'T WAIT TOO LONG

A mechanic's lien must be recorded within:

- 4 months of the last labor or materials provided if the project was a single family dwelling
- 8 months of the last labor or materials provided if the project was any other private project
- 90 days of the date when retainage is due if the lien is for retainage only

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