



Filing a Lien? Don't Delay!—Lien Filings Anticipated to be at a Record High Due to COVID-19

Our firm is dedicated to protecting and preserving our clients' rights to payment for their work throughout Texas in these uncertain times. If you supply labor and/or materials to a project site you may have the right to file a mechanic's and materialman's lien under the Texas Property Code. Liens are filed by the fifteenth (15th) day of the month and must be recorded in the real property records office of the county where the project is located. It is important to note that the county where your project is located may be operating with a reduced staff due to the Coronavirus. Further, we anticipate a higher number of lien filings than usual because of the Coronavirus' impact on the construction industry. That means that preparing to file your lien early may prevent you from losing your lien rights due to factors outside of your control. Reach out to an attorney as soon as possible, prior to the 15th day of the month, to obtain a lien assessment to determine if this invaluable tool is available for your payment claim.

Why should you file a Mechanic's and Materialman's lien?

- (1) Liens give you leverage over the real property in a payment dispute.
- (2) Obtaining leverage over the project owner gives you the ability to have a two-sided negotiation.
- (3) Filing your lien may start a dialogue with the project owner to help the parties come to a mutual resolution.
- (4) You have two years to file a suit to foreclose on your lien. As a result, the lien protects your right to payment and affords you the flexibility to give the project owner/ general contractor time to see their project through the effects of the Coronavirus.

At times owners and contractors will threaten that the parties' working relationship will be in jeopardy if a lien is filed; however, a lien can actually be used as a tool to preserve a working relationship by giving the parties time to come to an agreement prior to filing a lawsuit to collect on a payment claim. Goodwill is preserved when parties can work together to resolve issues and a lien can help you gain equal footing in the conversation while at the same time providing you with peace of mind that your right to payment is intact.

For more information please contact any of the attorneys below:

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