

Preliminary Notice Exceptions

1. The notice shall not be required to be given where the contractor is managed or controlled by substantially the same persons who manage or control the owner of the improved real estate,
2. The notice shall not be required to be given in connection with an improvement to real property consisting of or providing more than four family units when the improvement is wholly residential in character
3. The notice shall not be required to be given in connection with an improvement to real property which is not in agricultural use and which is wholly or partially nonresidential in use if the work or improvement:
 - (3a) is to provide or add more than 5,000 total usable square feet of floor space; or
 - (3b) is an improvement to real property where the existing property contains more than 5,000 total usable square feet of floor space; or
 - (3c) is an improvement to real property which contains more than 5,000 square feet and does not involve the construction of a new building or an addition to or the improvement of an existing building.