

Express Lien

Alabama Lien Punchlist (Private)

NOTICE REQUIREMENTS

Alabama is typically a non-notice stated.

- Preliminary Notice prior to work is not required from anyone in Alabama to preserve the right to lien.
- Prior to filing a Statement of Lien, anyone without direct contract with the owner must deliver a Notice of Unpaid Lien to the property owner [Statutes provide no specific time period, only “before filing lien.”]
- Material Suppliers who do not contract with the owner can benefit from sending a Preliminary Notice to the owner. While not required, the providing of this notice entitles the supplier to a “Full Price Lien,” similar to the lien provided to general contractors...rather than a “Unpaid Lien,” which is normally allowed to parties without a contract with the owner.

THE MECHANICS LIEN

- Two types of liens in Alabama:
 - Full Price Lien: Available to parties who contract directly with the owner, or a material supplier who provides a preliminary notice. This liens the actual property for the full price of the amount claimed.
 - Unpaid Lien: Available to parties without a contract with the owner. This lien is only effective to the sums of money actually in the hands of the owner at the time the Notice of Unpaid Lien is delivered to the property owner.
- Filing Deadlines:
 - Those who contract with the owner have 6 months from the date the debt became due to file a lien.
 - Laborers have 30 days from the last providing of labor to file a lien.
 - All others have 4 months from the last providing of labor, services and/or materials to file a lien.
- All parties must file an action to enforce the lien within 6 months from when the debt claimed became due.

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