

Introduction to Notices to Owners

On Every Construction Project for which you provide services, materials and/or labor protect your right to file a lien if you are not paid.

If you have not signed a contract directly with the property owner you need to protect your lien rights by using the form below. Remember you are not protected simply because you have a contract with the prime contractor, a leasing agent or the property manager. If you are not in privity (in direct contractual agreement) with the property owner you should use the Notice below. Remember, lien laws are complicated. This is only the first step in protecting your right to be paid. Then, if you have reason to believe you may not be paid you should consult an attorney immediately. Do not hesitate since there are several legal procedures which you must follow within specific time limits.

Copy, download and print the form below.

- Fill the form out
- Record it with the Clerk of Court where the property is located
- Post a copy of the recorded document on the job site

NOTICE TO OWNER

(Preliminary Notice, Notice Of Intent To Claim Against Bond)

WARNING TO OWNER: UNDER FLORIDA LAW, YOUR FAILURE TO MAKE SURE THAT WE ARE PAID MAY RESULT IN A LIEN AGAINST YOUR PROPERTY AND YOUR PAYING TWICE. TO AVOID A LIEN AND PAYING TWICE, YOU MUST OBTAIN A WRITTEN RELEASE FROM US EVERY TIME YOU PAY YOUR CONTRACTOR.

TO: DATE:

The undersigned hereby informs you that he has furnished or is furnishing services or materials as follows: for the Improvement of the real property identified as:

as Recorded in the Public Record of _____ County, Florida

under an order given by:

Florida law prescribes the serving of the Notice and restricts your right to make payments under your contract in accordance with Section 713.06, Florida Statutes. If Job is bonded UNDER SECTION 713.23 FLORIDA STATUTES SECTION 255.05 FLORIDA STATUTES OR 270 U.S.C. the firm sending this Notice will look to the bond (Surety Co.) for protection if not paid. IF A PAYMENT BOND EXISTS, FURNISH A COPY TO THE UNDERSIGNED OR PROVIDE NAME AND ADDRESS OF BONDING COMPANY. FAILURE TO PROVIDE THIS INFORMATION MAY RENDER YOU LIABLE FOR DAMAGES.

By: _____

Copies to:

1. _____
2. _____

IMPORTANT INFORMATION FOR YOUR PROTECTION

Under Florida's laws, those who work on your property or provide materials and are not paid have a right to enforce their claim for payment against your property. This claim is known as a construction lien. If your contractor fails to pay subcontractors or material suppliers or neglects to make other legally required payments, the people who are owed money may look to your property for payment, EVEN IF YOU HAVE PAID YOUR CONTRACTOR IN FULL.

PROTECT YOURSELF:

-RECOGNIZE that this Notice to Owner may result in a lien against your property unless all those supplying a Notice to Owner have been paid.

-LEARN more about the Construction Lien Law, Chapter 713, Part 1, Florida Statutes, and the meaning of this notice by contacting an attorney of the Florida Department of Professional Regulations.

PREPARED BY: _____ Date: _____



If you have comments on this or any other business aid let FHBA know