

# MECHANICS' AND CONSTRUCTION LIEN CLAIMS

## Construction Lawyers Assisting Clients Throughout Pennsylvania and New Jersey

The prosecution and defense of mechanics' and construction liens is a sub-specialty of construction law practice. Lien practice requires a combination of construction, real estate, and commercial litigation experience. The lawyers in our Construction Group are uniquely qualified to advise clients in this area.

Liens are a unique statutory remedy which allow contractors to secure payment for construction work to real property by placing a lien against improved real estate. Because this remedy allows the filing of a lien, which results in a cloud on title to real estate, *before* entry of a judgment, it can be an exceptionally powerful remedy. To protect owners of real estate from abuses, lien statutes typically require strict conformity to statutory notice and time periods. Further, lien claims are required by statute to contain certain specified information. The failure to explicitly follow these procedures can result in the dismissal of a lien claim.

Our Construction Group represents contractors and trade contractors in the filing and prosecution of lien claims and owner/developers in the defense of them. Effective representation of clients in this area requires specific familiarity with lien laws and their procedural and substantive requirements, general principles of real estate law, and general commercial litigation. Our lawyers are well-versed in the practical impact of liens on the real estate interests of owner/developers and their lenders. When appropriate we file motions to have improper liens dismissed or bonded off. Often, lien claims can compete with claims asserted by other lien claimants, sureties, secured creditors, or a bankruptcy trustee.

We are also experienced in preparing lien claims and if necessary filing complaints to enforce them. We understand what components may be included in a lien claim, and which cannot. A lien claim is typically asserted separately from a breach of contract claim, and if successfully prosecuted through trial, will result in a judgment lien against the improved real estate. Once filed, lien claims are often negotiated. Our experience with and understanding of the lien process, and construction claims in general, makes us very effective advocates for both our contractor and our developer clients.

# Contact a Construction Law Attorney Today

Learn how our attorneys can help you advance your business objectives. We encourage you to schedule a consultation today. We service businesses and other entities with offices in Philadelphia and Blue Bell, Pennsylvania as well as Cherry Hill, New Jersey. Contact us online or by phone at 610-260-6000 today to arrange a consultation.