

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to contractor and subcontractor liens. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO NOTICE OF CONTRACT, DISSOLUTION OF LIEN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 254 of the General Laws, as appearing in the most recent
2 edition is hereby amended by striking out section 8 and inserting in
3 place thereof the following section:—

4 Section 8. Liens under sections two and four shall be dissolved
5 unless the contractor, subcontractor, or some person claiming by,
6 through or under them, not later than the earliest of:—

7 (i) ninety days after the filing or recording of the notice of sub-
8 stantial completion under section two A;

9 (ii) one hundred and twenty days after the filing or recording of
10 the notice of termination under section two B;

11 (iii) one hundred and twenty days after the last day a person, enti-
12 tled to enforce a lien under section two or anyone claiming by,
13 through or under him, performed or furnished labor or material or
14 both labor and materials or furnished rental equipment, appliances or
15 tools; or

16 (iv), with respect to any building, structure or other improvement
17 to real property consisting only of at least one but not more than four
18 dwelling units, two years after the filing or recording of the Notice
19 of Contract, shall file or record in the registry of deeds in the county
20 or district where the land lies a statement, giving a just and true
21 account of the amount due or to become due him, with all just
22 credits, a brief description of the property, and the names of the
23 owners set forth in the notice of contract. A lien under section one
24 shall be dissolved unless a like statement, giving the names of the

25 owner of record at the time the work was performed or at the time of
26 filing the statement, is filed or recorded in the appropriate registry of
27 deeds within the ninety days provided in said section. Nothing in
28 this section shall prohibit the filing or recording of a statement under
29 this section prior to the filing or recording of the notices under
30 section two A or two B.