

**HOUSE . . . . . No. 1567**

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By Mr. O'Flaherty of Chelsea, a petition (accompanied by bill, House, No. 1567) of Eugene L. O'Flaherty relative to contractor and subcontractor liens. The Judiciary.

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Eugene L. O'Flaherty**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to notice of contract, dissolution of lien.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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**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 SECTION 1. Chapter 254 of the General Laws, as appearing in the most recent edition is hereby amended by  
2 striking out section 8 and inserting in place thereof the following section:-  
3 Section 8. Liens under sections two and four shall be dissolved unless the contractor, subcontractor, or some person  
4 claiming by, through or under them, not later than the earliest of: (i) ninety days after the filing or recording of the  
5 notice of substantial completion under section two A; (ii) one hundred and twenty days after the filing or recording  
6 of the notice of termination under section two B; (iii) one hundred and twenty days after the last day a person,  
7 entitled to enforce a lien under section two or anyone claiming by, through or under him, performed or furnished  
8 labor or material or both labor and materials or furnished rental equipment, appliances or tools; or (iv), with respect  
9 to any building, structure or other improvement to real property consisting only of at least one but not more than  
10 four dwelling units, two years after the filing or recording of the Notice of Contract, shall file or record in the  
11 registry of deeds in the county or district where the land lies a statement, giving a just and true account of the  
12 amount due or to become due him, with all just credits, a brief description of the property, and the names of the  
13 owners set forth in the notice of contract. A lien under section one shall be dissolved unless a like statement, giving  
14 the names of the owner of record at the time the work was performed or at the time of filing the statement, is filed or

15 recorded in the appropriate registry of deeds within the ninety days provided in said section. Nothing in this section  
16 shall prohibit the filing or recording of a statement under this section prior to the filing or recording of the notices  
17 under section two A or two B.