

# HOUSE . . . . . No. 1367

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Christopher N. Speranzo*

*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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher N. Speranzo</i>	<i>3rd Berkshire</i>	<i>1/20/2011</i>

# HOUSE . . . . . No. 1367

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By Mr. Speranzo of Pittsfield, a petition (accompanied by bill, House, No. 1367) of Christopher N. Speranzo relative to contractor and subcontractor liens. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1567 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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  
2 hereby amended by 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,  
4 subcontractor, or some person claiming by, through or under them, not later than the earliest of:

5 (i) ninety days after the filing or recording of the notice of substantial completion under section  
6 two A; (ii) one hundred and twenty days after the filing or recording of the notice of termination  
7 under section two B; (iii) one hundred and twenty days after the last day a person,

8 entitled to enforce a lien under section two or anyone claiming by, through or under him,

9 performed or furnished labor or material or both labor and materials or furnished rental

10 equipment, appliances or tools; or (iv), with respect to any building, structure or other

11 improvement to real property consisting only of at least one but not more than four dwelling  
12 units, two years after the filing or recording of the Notice of Contract, shall file or record in the  
13 registry of deeds in the county or district where the land lies a statement, giving a just and true  
14 account of the amount due or to become due him, with all just credits, a brief description of the  
15 property, and the names of the owners set forth in the notice of contract. A lien under section one  
16 shall be dissolved unless a like statement, giving the names of the owner of record at the time the  
17 work was performed or at the time of filing the statement, is filed or recorded in the appropriate  
18 registry of deeds within the ninety days provided in said section. Nothing in this section shall  
19 prohibit the filing or recording of a statement under this section prior to the filing or recording of  
20 the notices under section two A or two B.