

HOUSE No.

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

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1632 OF .]

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 254of 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
4 Section 8. Liens under sections two and four shall be dissolved unless the
5 contractor, subcontractor, or some person claiming by, through or under them,
6 not later than the earliest of: (i) ninety days after the filing or recording of
7 the notice of substantial completion under section two A; (ii) one hundred and
8 twenty days after the filing or recording of the notice of termination under
9 section two B; (iii) one hundred and twenty days after the last day a person,
10 entitled to enforce a lien under section two or anyone claiming by, through or
11 under him, performed or furnished labor or material or both labor and materials
12 or furnished rental equipment, appliances or tools; or (iv), with respect to any
13 building, structure or other improvement to real property consisting only of at
14 least one but not more than four dwelling units, two years after the filing or
15 recording of the Notice of Contract, shall file or record in the registry of
16 deeds in the county or district where the land lies a statement, giving a just
17 and true account of the amount due or to become due him, with all just credits,
18 a brief description of the property, and the names of the owners set forth in
19 the notice of contract. A lien under section one shall be dissolved unless a
20 like statement, giving the names of the owner of record at the time the work was
21 performed or at the time of filing the statement, is filed or recorded in the
22 appropriate registry of deeds within the ninety days provided in said section.
23 Nothing in this section shall prohibit the filing or recording of a statement
24 under this section prior to the filing or recording of the notices under section
25 two A or two B.
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