



**SUMMARY OF LIEN LAW REQUIREMENTS
VIRGINIA, DISTRICT OF COLUMBIA AND MARYLAND**

	WHO MAY FILE	WHAT TO FILE	WHEN G.C. MUST FILE	WHEN SUBCONTRACTOR MUST FILE	LIMIT ON RECOVERY BY SUBCONTRACTOR	HOW TO ENFORCE
VIRGINIA	All persons who perform labor or furnish materials to the project, including subcontractors of any tier and materialmen. Va. Code §§ 43-2, 43-3 and 43-9.	Memorandum of Lien in accordance with Va. Code § 43-5, 43-8 or 43-10. Must give notice to owner and file a certification of mailing a copy of notice of lien to owner, including names of the owner of the property sought to be charged, claimant's license or certificate number issued by the Board for Contractors pursuant to Chapter 11 (§ 54.1-1100 et seq.)	Not later than 90 days from last day of month during which work was performed or materials supplied and no later than 90 days from the time such building is completed or the work thereon is terminated. Va. Code § 43-4. Punch list work does not extend the time for filing.	Not later than 90 days from last day of month during which work was performed or materials supplied. Va. Code §43-4. Punch list work does not extend the time for filing.	Subcontractor may recover only to the extent that owner holds funds due the G.C. at the time owner received notice of lien or thereafter. Va. Code §§ 43-7 and 43-9. Lien cannot include sums due for labor or materials furnished more than <u>150 days prior</u> to the last day on which labor/material furnished to the job. Va. Code § 43-4.	Suit to enforce filed within 6 months of the date the lien was recorded or within 60days from the time the building or structure is completed or the work is terminated, whichever is later. Va. Code § 43-17.
DISTRICT OF COLUMBIA	Lien law operates only in favor of contractors and subcontractors. Sub-subcontractors do not have lien rights. D.C. Code §§ 40-301.01 and 40-303.01.	Notice of Lien with D.C. Recorder of Deeds, must also provide notice to property owner. D.C. Code §§ 40-301.02 and 40-303.03.	File Notice of Lien within 90 days after completion of building or termination of project. D.C. Code §§ 40-301.02. Per June 2012 amendments, a lien can now be filed during construction.	File Notice of Lien within 90 days after completion of building and serve notice upon owner. D.C. Code § 40-301.02.	Owner liable to subcontractor for reserving funds from G.C. on subcontractor's behalf after notice by Subcontractor. Owner not liable to pay subcontractor for funds paid to G.C. before notice. D.C. Code § 40-303.02.	File suit to enforce within 180 days after filing of Notice or Lien, and record notice of pendency of action within 10 days of filing suit. D.C. Code § 40-303.13.
MARYLAND	All persons of whatever tier who provide labor or materials to a new building, or improvements to existing building to the extent of 15% or more of total value of the building. Md. Code R.P. § 9-102.	Subcontractor must give owner Notice of Intention to Claim Lien in accordance with Md. Code R.P. §9-104, and then file Petition to Establish Mechanic's Lien. G.C. must begin court proceedings and need not give separate notice to owner.	G.C. not required to comply with notice provision of Md. Code R.P. § 9-104 but must file proceeding in court within 180 days after work has been finished or the materials furnished. Md. Code R.P. § 9-105.	Subcontractor must give owner Notice of Intention to Claim Lien within 120 days after doing the work or furnishing the material. Md. Code R.P. 9-104, and file suit to establish lien within 180 days after work is done.	Owner liable to subcontractor for full subcontract amount (or reasonable value of the work) regardless of extent of prior payments. Upon receipt of notice, owner may withhold funds due G.C. Md. Code R.P. §§ 9-102(a) and 9-104(f).	File Petition to Establish Lien within 180 days after work was done or materials were furnished. Md. Code §§ 9-105 and 9-106.