

PETTIT AND COMPANY

TRIAL LAWYERS

Deadlines for Filing Claims of Lien Against Real Property For an Improvement with a Head Contractor

An improvement with a head contractor is a project in which a contractor is engaged to do substantially all the work on an improvement. This does not apply to an owner-developer or construction management situation.

The applicable lien filing deadline is 45 days after the earliest of:

- (1)** Issuance of a certificate of completion for the head contract;
- (2)** Substantial Completion of the head contract based on the remaining work to be completed under the contract is capable of completion at a cost not more than:
 - (a)** 3% of the \$500,000
 - (b)** 2% of the next \$500,000
 - (c)** 1% of the balance of the contract price.
- (3)** termination of the head contract;
- (4)** abandonment of the head contract;
- (5)** issuance of a certificate of completion for any subcontract under which the lien claimant is claiming;
- (6)** for strata lots only: the date the strata lot is conveyed to the purchaser or is first occupied.



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This information is not meant to be used as or substituted for legal advice. A lawyer should be consulted when considering if a Builders Lien should be filed against any property, as well as, the timeline for filing same.