

HAWAII
CONSTRUCTION or MECHANICS
LIEN FORMS

PACKAGE

CONTRACTOR EDITION
(sole proprietor)

Control Number: HI-P091-PKG



U.S. Legal Forms™ thanks you for your purchase of a Construction Lien Forms Package. This package is an important tool to help you with the legal issues that may arise between a contractor who performs services and/or supplies materials or equipment to a property but is not paid for the services/materials/equipment. This package includes state specific forms for a contractor operating as a sole proprietor or individual.

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I. FORM LIST

With your Construction Lien Package, you will find many of the forms that are necessary to protect your legal rights or claims to secure and enforce a lien on property for unpaid services and/or materials or equipment.

Included in your package are the following forms:

1. Application for Mechanic's and Materialman's Lien
2. Notice of Mechanic's and Materialman's Lien
3. Notice of Mechanic's and Materialman's Lien and Demand for Payment
4. Notice of Completion
5. Notice of Satisfaction of Lien
6. Demand for Payment
7. Notice of Hearing
8. Order of Hearing
9. Cash Deposit for Discharge of Mechanic's and Materialman's Lien

II. DESCRIPTIONS OF FORMS

Brief descriptions of the forms contained in your U.S. Legal Forms™ Construction Lien Package are found below.

Application for Mechanic's and Materialman's Lien - This Application for Mechanic's and Materialman's Lien form is for use by a lienor to apply for a mechanic's and materialman's lien based on the facts set forth in the Notice of Lien on described property for described improvements in a certain amount or a reasonable amount to be proven to the court, plus interest, together with attorney's fees, and court costs, and such other relief as the court deems just and proper. The application provides the names of the parties to the contract for the described improvements, the name of the general contractor, the name of the owner(s) of the property, and any other person with an interest.

Notice of Mechanic's and Materialman's Lien - This Notice of Mechanic's and Materialman's Lien form is used to provide notice to the respondents and any other person who has or claims to have an interest in the matter or in the described property that the claimant claims a lien in a certain principal amount, together with interest, costs and attorney's fees, on the property for services, materials, equipment and labor furnished by the lienor on the described property. The notice states that the principal amount, together with interest, costs and attorney's fees is due and owing the lienor for construction services and materials lienor furnished, which were incorporated and used in the improvement to the real property.

Notice of Mechanic's and Materialman's Lien and Demand for Payment - This Notice of Mechanic's and Materialman's Lien and Demand for Payment form provides notice to the respondents and any other person who has or claims to have an interest in the matter or in the described property that the claimant claims a lien in a certain principal amount, together with interest, costs and attorney's fees, on the property described in an attached exhibit for services, materials, equipment and labor furnished by Lienor for improvements made to the described property. The Notice states that the principal amount, together with interest, costs and attorney's fees is due and owing to lienor for construction services and materials lienor furnished, which were incorporated and used in the improvement to the real property, after repeated demands by lienor and failure of payment by owner/respondent. The notice states that no notice of completion has been published with respect to the subject transaction and no affidavit of publication has been filed. The notice lists any interest the city, county, country or respondent have in the subject property because of unpaid real property taxes, tax or other liens, notice of pendency, or judgment liens against owner/respondent.

Notice of Completion - This Notice of Completion form is used by the owner of real property undergoing improvements to provide Notice of the completion date of the improvements, the nature of the improvements to the real property, the name of the owner of the property, legal description of the property the nature of the interest or estate of the owner, and the name of the general contractor on the project. The filing of a Notice of Completion affects the time within which a party who has supplied labor, services, material, or machinery may file a Claim of Lien.

Notice of Satisfaction of Lien - This Notice of Satisfaction of Lien form is for use by a lienor who has entered a Mechanic's and Materialman's Lien and has recorded the lien at the Bureau of Conveyances to provide notice of satisfaction of the lien after Owner/Respondent has satisfied the lien in full and to state that the lien is discharged.

Demand for Payment - The Demand for Payment form is for use by a lienor who claims a lien in a certain principal amount, together with interest, costs and attorney's fees, upon and against described property and upon improvements, and upon the interests of the Respondent(s) and all persons or entities who have interests in the subject property and upon all improvements thereon to make demand upon all respondents for payment of the principal amount, together with interest, costs and attorney's fees.

Notice of Hearing - This Notice of Hearing form provides notice that the Lienor will bring his or her application on for hearing before a particular judge in his or her courtroom and provides the location and date of the hearing.

Order of Notice - This Order of Notice form is sent to the sheriff, his deputy or any person who may legally effect service of process and orders that the Application for Mechanic's and Materialman's Lien, Notice of Application for Mechanic's and Materialman's Lien and Demand, and Notice of Hearing be served.

Cash Deposit for Discharge of Mechanic's and Materialman's Lien - This Cash Deposit for Discharge of Mechanic's and Materialman's Lien form is for use by a respondent to state that he or she disputes the validity of an application for mechanic's and materialman's lien and discharge the lien application by depositing a check made payable to the circuit court clerk as security. The cash deposit shall be conditioned for the payment of any sum for which Lienor may obtain judgment upon the lienor's claim. If respondent shall pay lienor, or cause lienor to be paid in full or otherwise satisfy or resolve the claim of lienor, or if lienor's claim is dismissed or denied or if final judgment is entered against lienor, then the remaining balance of the cash deposit, if any, shall be immediately returned to the respondent. Respondent retains all the rights, claims and defenses as he or she would have if the lien had not been discharged, and the cash deposit is not an admission of fault or liability or waiver of any rights, claims or defenses of respondent.

If you need additional information, please visit www.uslegalforms.com and look up forms by subject matter. You may also wish to visit our legal definitions page at <http://definitions.uslegal.com/>

III. TIPS ON COMPLETING THE FORMS

The form(s) in this packet may contain "form fields" created using Microsoft Word or Adobe Acrobat (".pdf" format). "Form fields" facilitate completion of the forms using your computer. They do not limit your ability to print the form "in blank" and complete with a typewriter or by hand.

It is also helpful to be able to see the location of the form fields. Go to the View menu, click on Toolbars, and then select Forms. This will open the Forms toolbar. Look for the button on the Forms toolbar that resembles a shaded letter "a". Click this button and the form fields will be visible.

By clicking on the appropriate form field, you will be able to enter the needed information. In some instances, the form field and the line will disappear after information is entered. In other cases, it will not. The form was created to function in this manner.

IV. DISCLAIMER

These materials were developed by U.S. Legal Forms, Inc. based upon statutes and forms for the subject state. All information and Forms are subject to this Disclaimer:

All forms in this package are provided without any warranty, express or implied, as to their legal effect and completeness. Please use at your own risk. If you have a serious legal problem, we suggest that you consult an attorney in your state. U.S. Legal Forms, Inc. does not provide legal advice. The products offered by U.S. Legal Forms (USLF) are not a substitute for the advice of an attorney.

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