

**NEW JERSEY**  
**CONSTRUCTION or MECHANICS**  
**LIEN FORMS**  
**PACKAGE**  
**CONTRACTOR EDITION**  
**(sole proprietor)**

Control Number: NJ-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. Construction Lien Claim
2. Amendment to Construction Lien Claim
3. Notice by Contractor of Dispute of Lien Claim
4. Notice by Subcontractor of Dispute of Lien Claim
5. Notice of Unpaid Balance and Right to File Lien
6. Notice of Unpaid Balance and Right to File Lien - Residential
7. Certificate to Discharge Lien Claim of Record
8. List of Persons with Right to Claim a Lien
9. Written Request by Contractor to Provide List
10. Amended Notice of Unpaid Balance and Right to File Lien
11. Amended Notice of Unpaid Balance and Right to File Lien - Residential
12. Certificate to Discharge Lien Claim of Record - Residential
13. Conditional Waiver and Release of Claim of Lien Upon Progress Payment

14. Unconditional Waiver and Release of Claim of Lien Upon Progress Payment
15. Conditional Waiver and Release of Claim of Lien Upon Final Payment
16. Unconditional Waiver and Release of Claim of Lien Upon Final Payment
17. Assignment of Lien

## II. DESCRIPTIONS OF FORMS

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

Construction Lien Claim - This form is used by an individual contractor, subcontractor, employee, laborer, worker, or supplier wishing to file and record a Lien Claim. A lien claim shall be signed, acknowledged and verified by oath of the claimant or, in the case of a partnership or corporation, a partner or duly authorized officer thereof, and filed with the county clerk not later than 90 days following the date the last work, services, material or equipment was provided for which payment is claimed.

Amendment to Construction Lien Claim - This form is used by an individual desiring to amend a Lien Claim that has already been filed. A lien claim may be amended by the filing of an amendment with the county clerk. The amended lien claim shall comply with all the conditions and requirements for the filing of a lien claim, including the notice requirements, as well as the conditions and requirements.

Notice by Contractor of Dispute of Lien Claim - This form is used by an individual Contractor to dispute a Lien Claim that has been filed. The owner may pay the amount of the lien claim to the claimant unless the contractor or subcontractor against whose account the lien is filed notifies the owner and the lien claimant in writing within 20 days of service of the lien claim upon both the owner and the contractor or subcontractor, that the claimant is not owed the monies claimed and the reasons therefore.

Notice by Subcontractor of Dispute of Lien Claim - This form is used by an individual subcontractor to dispute a Lien Claim that has been filed. The owner may pay the amount of the lien claim to the claimant unless the contractor or subcontractor against whose account the lien is filed notifies the owner and the lien claimant in writing within 20 days of service of the lien claim upon both the owner and the contractor or subcontractor, that the claimant is not owed the monies claimed and the reasons therefore.

Notice of Unpaid Balance and Right to File Lien - This form is used by an individual lien claimant to preclude being superseded by a subsequent encumbrance. In the event of the creation, conveyance, lease or mortgage of an estate or interest in real property to which improvements have been made that are subject to the lien provisions of this act, a lien claim validly filed under this act shall have priority over any prior creation, conveyance, lease or mortgage of an estate or interest in real property, only if the claimant has filed with the county clerk prior to that creation, conveyance, lease or mortgage, a Notice of Unpaid Balance and Right to File Lien.

Notice of Unpaid Balance and Right to File Lien - Residential - A Notice form provides legal notification to a party of an important aspect of a legal matter. Failure to provide proper notice is often the cause of delays in the progress of lawsuits and other legal matters. This model form, a Notice of Unpaid Balance and Right to File Lien - Residential - Individual - New Jersey Mechanic Liens, provides notice of the stated matter. Because each case is unique, you will need to adapt the form to fit your specific facts and circumstances.

Certificate to Discharge Lien Claim of Record - This form is used by an individual to discharge a Lien Claim. A lien claim may be discharged of record by the county clerk upon receipt of a duly

acknowledged certificate, discharging the lien claim from the claimant having filed the lien claim, or his successor in interest, or his attorney.

List of Persons with Right to Claim a Lien - This form is used by an individual Owner or Contractor to request from a Contractor or Subcontractor a list of persons who have a right to claim a lien. If required in a contract or upon written request from an Owner to a Contractor or from a Contractor to a Subcontractor, the Contractor or Subcontractor shall, within 10 days, provide the Owner or Contractor with an accurate and full list of the names and addresses of each Contractor or Subcontractor or Supplier who may have a right to file a lien.

Written Request by Contractor to Provide List - This form is used by an individual Contractor to request a List of Persons with a Right to Claim Lien from a Subcontractor.

Amended Notice of Unpaid Balance and Right to File Lien - This Amended Notice of Unpaid Balance and Right to File Lien form is for use by an individual lien claimant to amend his or her notice that precludes being superseded by a subsequent encumbrance. In the event of the creation, conveyance, lease or mortgage of an estate or interest in real property to which improvements have been made that are subject to the lien provisions of this act, a lien claim validly filed under this act shall have priority over any prior creation, conveyance, lease or mortgage of an estate or interest in real property, only if the claimant has filed with the county clerk prior to that creation, conveyance, lease or mortgage, a Notice of Unpaid Balance and Right to File Lien.

Amended Notice of Unpaid Balance and Right to File Lien - Residential - This Amended Notice of Unpaid Balance and Right to File Lien form is for use by an individual lien claimant who has entered into a written residential construction contract to amend his or her notice that precludes being superseded by a subsequent encumbrance. In the event of the creation, conveyance, lease or mortgage of an estate or interest in real property to which improvements have been made that are subject to the lien provisions of this act, a lien claim validly filed under this act shall have priority over any prior creation, conveyance, lease or mortgage of an estate or interest in real property, only if the claimant has filed with the county clerk prior to that creation, conveyance, lease or mortgage, a Notice of Unpaid Balance and Right to File Lien.

Certificate to Discharge Lien Claim of Record - Residential - This Certificate to Discharge Lien Claim of Record - Mechanic Liens form is used by an individual who has entered into a written residential construction contract to discharge a Lien Claim. A lien claim may be discharged of record by the county clerk upon receipt of a duly acknowledged certificate, discharging the lien claim from the claimant having filed the lien claim, or his successor in interest, or his attorney.

Conditional Waiver and Release of Claim of Lien Upon Progress Payment - This Conditional Waiver and Release of Claim of Lien Upon Progress Payment form is for use by a lienor, in consideration of a certain sum of money to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to customer on the job of an owner of property. This Conditional Waiver and Release of Lien Upon Progress Payment is conditioned upon the lien claimant receiving collected funds for the work described, and if such funds are not received within a certain number of days of the date of this waiver, this Conditional Waiver and Release of Lien is void.

Unconditional Waiver and Release of Claim of Lien Upon Progress Payment - This Unconditional Waiver and Release of Claim of Lien Upon Progress Payment form is for use by a lienor, in consideration of a certain sum of money to waive and release his or her lien and right

to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property.

Conditional Waiver and Release of Claim of Lien Upon Final Payment - This Conditional Waiver and Release of Claim of Lien Upon Final Payment is for use by a lienor, in consideration of final payment to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property. This Conditional Waiver and Release of Lien Upon Final Payment is conditioned upon the lienor receiving collected funds for the work described, and if such funds are not received within a certain number of days of the date of this waiver, this Conditional Waiver and Release of Lien is void.

Unconditional Waiver and Release of Claim of Lien Upon Final Payment – This Unconditional Waiver and Release of Claim of Lien Upon Final Payment form is for use by a lienor, in consideration of final payment to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property.

Assignment of Lien - This Assignment of Lien form is for use by an individual lienor who furnished or supplied labor, materials, or laborers for the purpose of improvements of real property, such that the lienor is entitled to a lien for the value of labor, materials, or laborers supplied, to provide notice that the lienor assigns his or her claim and lien to an individual who shall hereafter have all the rights and remedies under law to which the lienor is entitled subject to all defenses thereto that might be made if such assignment had not been made, for the purpose of filing and for the enforcement of the lien.

If you need additional information, please visit [www.uslegalforms.com](http://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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