

**AFFIDAVIT OF NONPAYMENT UNDER**

**O.C.G.A. SECTION 44-14-366**

**STATE OF GEORGIA**

**COUNTY OF \_\_\_\_\_**

**THE UNDERSIGNED MECHANIC AND/OR MATERIALMAN HAS BEEN EMPLOYED  
BY \_\_\_\_\_ (NAME OF CONTRACTOR) TO FURNISH  
\_\_\_\_\_ (DESCRIBE MATERIALS AND/OR LABOR) FOR THE  
CONSTRUCTION OF IMPROVEMENTS KNOWN AS \_\_\_\_\_  
(TITLE OF THE PROJECT OR BUILDING) WHICH IS LOCATED IN THE CITY OF  
\_\_\_\_\_, COUNTY OF \_\_\_\_\_, AND IS OWNED BY  
\_\_\_\_\_ (NAME OF OWNER) AND MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(DESCRIBE THE PROPERTY UPON WHICH THE IMPROVEMENTS WERE MADE  
BY USING EITHER A METES AND BOUNDS DESCRIPTION, THE LAND LOT  
DISTRICT, BLOCK AND LOT NUMBER, OR STREET ADDRESS OF THE  
PROJECT.)**

**PURSUANT TO O.C.G.A. SECTION 44-14-366 THE UNDERSIGNED EXECUTED A  
LIEN WAIVER AND RELEASE WITH RESPECT TO THIS PROPERTY DATED  
\_\_\_\_\_, \_\_\_\_\_. THE AMOUNT SET FORTH IN SAID WAIVER AND  
RELEASE (\$\_\_\_\_\_) HAS NOT BEEN PAID, AND THE UNDERSIGNED HEREBY  
GIVES NOTICE OF SUCH NONPAYMENT.**

**THE ABOVE FACTS ARE SWORN TRUE AND CORRECT BY THE UNDERSIGNED,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.**

\_\_\_\_\_(SEAL)

**CLAIMANT'S SIGNATURE**

**SWORN TO AND EXECUTED**

**IN THE PRESENCE OF:**

\_\_\_\_\_  
**WITNESS**

\_\_\_\_\_  
**NOTARY PUBLIC**

**WITHIN SEVEN DAYS OF FILING THIS AFFIDAVIT OF NONPAYMENT, THE FILING PARTY SHALL SEND A COPY OF THE AFFIDAVIT BY REGISTERED OR CERTIFIED MAIL OR STATUTORY OVERNIGHT DELIVERY TO THE OWNER OF THE PROPERTY. IF THE FILING PARTY IS NOT IN PRIVITY OF CONTRACT WITH THE PROPERTY OWNER AND A NOTICE OF COMMENCEMENT IS FILED FOR THE IMPROVEMENT ON THE PROPERTY FOR WHICH THE FILING PARTY'S LABOR, SERVICES, OR MATERIALS WERE FURNISHED, A COPY OF THE AFFIDAVIT SHALL BE SENT TO THE CONTRACTOR AT THE ADDRESS SHOWN ON THE NOTICE OF COMMENCEMENT. WHENEVER THE OWNER OF THE PROPERTY IS AN ENTITY ON FILE WITH THE SECRETARY OF STATE'S CORPORATIONS DIVISION, SENDING A COPY OF THE LIEN TO THE COMPANY'S ADDRESS OR THE REGISTERED AGENT'S ADDRESS ON FILE WITH THE SECRETARY OF STATE SHALL BE DEEMED SUFFICIENT.**