

# CONTRACTS

**Builders Association of Minnesota**



## Subcontractor Prelien Notice

PART OF THE BENEFIT OF BAM MEMBERSHIP IS ACCESS TO HIGH QUALITY CONTRACT TEMPLATES. DRAFTED BY ATTORNEYS THAT SPECIALIZE IN RESIDENTIAL CONSTRUCTION, AND UPDATED WHEN THE LAW CHANGES, THESE CONTRACTS ARE AVAILABLE IN BOTH WORD AND PDF FORMAT.

WORTH OVER \$10,000, THIS MEMBER BENEFIT SAVES YOU BOTH TIME AND MONEY WHILE PROTECTING YOU AND YOUR BUSINESS.

SINCE 1974, BAM REPRESENTS YOU AND YOUR BUSINESS AT THE STATE'S CAPITOL, BEFORE REGULATORY AGENCIES AND THE COURTS BECAUSE INDUSTRY UNITY AND DOING BUSINESS WITH MEMBERS IS GOOD BUSINESS®.

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NOTE: Minnesota Statute Section 514.011 requires that Subcontractors give pre lien notice as follows:

Subd. 2. **Subcontractor to give notice.** (a) Every person who contributes to the improvement of real property so as to be entitled to a lien pursuant to section [514.01](#), except a party under direct contract with the owner must, as a necessary prerequisite to the validity of any claim or lien, cause to be given to the owner or the owner's authorized agent, either by personal delivery or by certified mail, not later than 45 days after the lien claimant has first furnished labor, skill or materials for the improvement, a written notice in at least 10-point bold type, if printed, or in capital letters, if typewritten, [in the form attached].

Mechanics liens are highly technical. If you have any questions, you should contact your lawyer.

**Subcontractor's Pre-Lien Notice**

To: \_\_\_\_\_

From: \_\_\_\_\_

Personally delivered or sent by Certified Mail on \_\_\_\_\_

As required under Minnesota Statute Section 514.011, \_\_\_\_\_ provides notice as follows:

**THIS NOTICE IS TO ADVISE YOU OF YOUR RIGHTS UNDER MINNESOTA LAW IN CONNECTION WITH THE IMPROVEMENT TO YOUR PROPERTY.**

**ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THIS IMPROVEMENT MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTIONS.**

WE \_\_\_\_\_  
(NAME AND ADDRESS OF SUBCONTRACTOR)

HAVE BEEN HIRED BY YOUR CONTRACTOR \_\_\_\_\_

\_\_\_\_\_ TO PROVIDE \_\_\_\_\_  
(NAME OF YOUR CONTRACTOR)

\_\_\_\_\_ OR \_\_\_\_\_ FOR THIS  
(TYPE OF SERVICE) (MATERIAL)

IMPROVEMENT. TO THE BEST OF OUR KNOWLEDGE, WE ESTIMATE OUR CHARGES WILL BE \_\_\_\_\_.  
(VALUE OF SERVICE OR MATERIAL)

**IF WE ARE NOT PAID BY YOUR CONTRACTOR, WE CAN FILE A CLAIM AGAINST YOUR PROPERTY FOR THE PRICE OF OUR SERVICES.**

**YOU HAVE THE RIGHT TO PAY US DIRECTLY AND DEDUCT THIS AMOUNT FROM THE CONTRACT PRICE, OR WITHHOLD THE AMOUNT DUE US FROM YOUR CONTRACTOR UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS YOUR CONTRACTOR GIVES YOU A LIEN WAIVER SIGNED BY ME (US).**

**WE MAY NOT FILE A LIEN IF YOU PAID YOUR CONTRACTOR IN FULL BEFORE RECEIVING THIS NOTICE.**