

TEXAS LIEN CLAIMS ON PRIVATE PROJECTS (Non-Residential)
Notice & Filing Deadlines For General Contractors and Subcontractors

Month When Labor and/or Material Furnished	Subcontractors of All Tiers Deadline to Send Notice to Owner and General Contractor	Deadline to File Lien Affidavit After Completion of Your Work (See Notes 1, 2 & 3 below)
	(15th day of 3rd Month)	(15th day of 4 th Month)
January	April 15	May 15
February	May 15	June 15
March	June 15	July 15
April	July 15	August 15
May	August 15	September 15
June	September 15	October 15
July	October 15	November 15
August	November 15	December 15
September	December 15	January 15
October	January 15	February 15
November	February 15	March 15
December	March 15	April 15

- General contractor has to file a lien affidavit by the 15th day of the 4th month after the month in which the general contractor completes or abandons the job.
- Subcontractor has to file a lien affidavit by the 15th day of the 4th month after the last month in which the Subcontractor provides labor or materials. However, if subcontractor’s work is performed near the end of a project, shorter deadlines may apply.
- Everyone who files a lien affidavit must send notice to the owner and general contractor of the filed lien affidavit no later than the 5th day after the date of filing.
- Architects, engineers, surveyors, landscapers, and demolition contractors who have a written contract with the owner, general contractor, or subcontractor can perfect a lien. If performing work under a contract with the owner, they are considered to be general contractors for lien perfection purposes. If performing work under a contract with the general contractor or a subcontractor, they are considered a subcontractor for lien performed purposes.
- All notices should be sent by certified mail. For expediency, you may also want to send your notice by FedEx or UPS with tracking capabilities.

Shortened Lien Filing Deadlines for Unpaid Materials and/or Labor Against the Statutory Reserved Fund

Except as permitted below for the filing of liens for Contractual Retainage only, a claimant must file its lien affidavit not later than the 30th day after the earliest of the completion, termination, or abandonment of the original contract. **Note:** this may occur before the 15th day of the 4th month deadline provided in the chart above. All claimants should adjust their pre-lien notice deadlines to be sent before or contemporaneously with this shortened lien filing deadline.

Different Deadlines for Contractual Retainage Claims

- Notice must be sent to the owner and to the general contractor not later than the earliest of:
 - the 30th day after the Claimant’s agreement providing for retainage is completed, terminated, or abandoned; or
 - the 30th day after the original contract is terminated or abandoned.
- If you are a subcontractor, the lien affidavit must be filed by not later than the earliest of:
 - the 30th day after the earliest of completion, termination, or abandonment of the original contract; or
 - the 15th day of the third month after the month in which the original contract was completed, terminated, or abandoned;
- If you are a general contractor, the lien affidavit must be filed by the 15th day of the fourth month after the last day of the month in which the original contract was terminated, completed or abandoned.

Specialty Fabricated Items

Compliance with the dates set forth in the chart above is sufficient to perfect a claim for delivered or undelivered materials, so long as the calculation of the notice deadlines and the lien recording deadlines are calculated from the month the claimant would normally have been required to deliver the specialty fabricated materials (even if they were not actually delivered).

PLEASE NOTE: The Texas lien claim laws are complex.

This information is a guide and is not intended as legal advice. Please contact us at info@porterhedges.com.

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