

# Deadlines and Procedures for Recording, Perfecting and Enforcing a Mechanics Lien on Private Property in California.

Start of Work on the Project, or Start of Your Work

**20 Days Maximum**

Prime Contractors, Subcontractors and Suppliers must Serve a Preliminary Notice on Owner and Prime Contractor and Construction Lender within 20 days after starting your work.

“Completion” of Entire Project, or Cessation of all Work on Project for 60 Days.

If a Valid Notice of Completion or Notice of Cessation of Work was Recorded by the Owner, then time to Record a Lien is Shorter.

**90 Days Maximum if Prime Contractor, Subcontractor, or Supplier**

**60 Days Maximum (from Recording) if Prime Contractor / 30 Days if Subcontractor**

Record Mechanics Lien with County Recorder, and Serve Copy of Lien on Property Owner.

**90 Days Maximum from Recording**

File Suit on Mechanics Lien in Superior Court, and Record Lis Pendens Against Property.

**N.B.** Preliminary Notices and Mechanics Liens must be timely served by Certified or Registered Mail. (See Related Article).

Failure to timely file suit on a Mechanics Lien causes that lien to become invalid, and may allow an Owner to sue You to Release the Lien.

**N.B.** The contents of this Article **do not constitute legal advice** or create an attorney-client relationship, and **you may NOT rely on it** without seeking legal advice regarding your particular situation from a competent California Construction lawyer or Construction Contracts attorney.

Please also note that factual situations vary, and statutes, regulations and case law are frequently changing and evolving, and these materials thus also may be or may become outdated or incorrect.

For further information on this topic and how the current law may apply to your unique contract, job, payment claim and issues, Contact Us via email, phone (415)788-1881 or visit our website at [www.wolfflaw.com](http://www.wolfflaw.com) for other contact information.

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**PROFESSIONAL EXPERIENCE**

**Colliau Carluccio Keener Morrow Peterson & Parsons**

**2006-2016**

**[House Counsel for CNA Insurance Companies]**

**San Francisco, CA**

**Senior Litigation Attorney**

- Analyzed wide spectrum of claims and issues nationwide for large losses under commercial property and liability policies, including real and personal property, construction defect, marine and cyber claims.
- Litigated construction defect actions from initial pleadings through trial or settlement with an emphasis on insurance coverage, bad faith, and contribution issues.
- Mediated large construction defect cases and major maritime recovery actions. Pursued subrogation, indemnity, and contribution recoveries in various contexts. Recovered millions of dollars over the years.
- Coverage analysis and pre-litigation settlement of marine claims under cargo, protection and indemnity, and hull policies as well as terminal operators, marina, wharfinger, stevedore, and charterer's liability coverages.
- Worked closely with SIU investigating and pursuing insurance fraud cases.
- Advised business partners on claims procedures and underwriting issues. Assisted in suggested revisions of policy language and development of non-ISO policy forms.
- Lectured property and marine personnel on liability coverages and updates in property insurance law.
- Participated in drafting white papers for handling of major environmental and catastrophic climate related losses.
- Supervised and assisted outside litigation counsel in southern California, Oregon, Washington, Nevada, and Arizona. Drafted motions, mediation statements, discovery, and pre-trial and trial filings per local rules. Appeared *pro hac vice* in several State courts.
- Worked on co-ordination of contributing primary, excess, umbrella, and difference in condition insurer interests in complex litigation.

**Law Offices of William D. Paoli, Oakland, CA**

**1995-2006**

**Founder**

- Represented insureds in litigation involving construction defect, environmental, property and marine issues.
- Advised insurer clients and private attorneys on insurance coverage issues.
- Handled insurance coverage disputes among multiple insurers and multiple insureds in complex matters.

- Provided coverage opinions in the areas of marine, inland marine and design engineers' liability coverage.
- Oversaw all aspects of the administration of the firm, including recruiting and training staff and lawyers.

**Derby Cook Quinby & Tweedt, San Francisco, CA**

**1987-1995**

**Partner**

- Handled large loss and marine insurance coverage analysis and litigation.
- Advised clients on general maritime insurance law, including hull and machinery, protection and indemnity, and cargo coverages.
- Worked on cargo loss subrogation and construction contractor defense work.
- Developed coverage analysis outlines for use by claims personnel and new associates.
- Assisted in drafting policy forms.
- Developed non-maritime business and handled large property loss claims.
- Participated actively in internal recruitment and associate training.

**Other Experience**

- Extensive insurance defense and trial experience at Boornazian, Jensen & Garthe and Hardy and McPhee.

**EDUCATION**

J.D., Hastings College of the Law, San Francisco, CA

A.B., University of California, Berkeley, CA

**BAR ADMISSIONS**

California State Bar, Admitted to all California State and Federal District Courts and the Ninth District Court of Appeals

**OTHER**

Arbitrator, Mediator and Judge Pro Tem for the San Francisco Superior Court

Certified Mediator

Lecturer on Insurance Coverage- Bad Faith and Maritime

Fellow- Claims & Litigation Management Alliance

Member- Association of Marine Underwriters

Co- Author of "Bad Faith Litigation Practice", National Business Institute

Martindale-Hubble AV Rating