

Alaska Private Projects

Is the Project Residential or Commercial?
 (Note: Alaska's Lien statutes do not differentiate between Commercial and Residential Projects)

Residential

Notice Requirements for Residential Project Claimants

Commercial

Notice Requirements for Commercial Project Claimants

Notice of Right to Lien

Notice should be given to all owners or their agents **before** first delivery via process server or certified mail (should also be filed with recorder's office)

Note: Failure to give such notice shifts the burden to the claimant to prove that the owner consented to the furnishing of labor, material, and services.

Record Lien

I. If a notice of completion is not recorded by the owner, a claim of lien must be recorded within 120 days after the claimant:

- A. Completes the construction contract; or
- B. Ceases to furnish labor, material, services, or equipment for the construction, alteration, or repair of the owner's property.

II. If a notice of completion is recorded by the owner:

- A. The claimant must record a claim of lien or a notice of right to lien within **15 days** after the notice of completion is recorded if: (1) the claimant has received advance notification of the date that the notice of completion is recorded; or (2) the claimant has not given a notice of right to lien.
- B. The claimant must record a claim of lien within **120 days** after the notice of completion is recorded if: (1) the claimant recorded a notice of right to lien within 15 days after the notice of completion was recorded; or (2) the claimant has given a notice of right to lien but has not received advance notice of the date that the notice of completion is recorded by the owner.

Recording of Notice of Right to Lien: If a notice of right to lien is recorded, it preserves the 120 day window in which a claimant can file a claim when a notice of completion is recorded by the owner.

Lawsuit to Foreclose

Action on lien must be filed within **6 months** after lien is recorded or within **6 months** after recording a one-time extension notice filed during the original **6 months**

Action on a stop-lending notice must be filed within **90 days** after notice was given to the construction loan provider

Release

Once claim satisfied, and upon demand by a party to the claim, the claimant must promptly provide a written release of its lien rights

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