

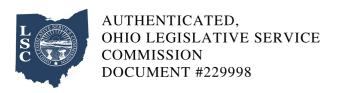
Ohio Revised Code

Section 1311.06 Affidavit - time period for filing - contents.

Effective: January 30, 2014

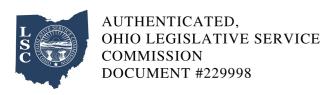
Legislation: House Bill 72 - 130th General Assembly

- (A) Any person, or the person's agent, who wishes to avail self of sections 1311.01 to 1311.22 of the Revised Code, shall make and file for record in the office of the county recorder in the counties in which the improved property is located, an affidavit showing the amount due over and above all legal setoffs, a description of the property to be charged with the lien, the name and address of the person to or for whom the labor or work was performed or material was furnished, the name of the owner, part owner, or lessee, if known, the name and address of the lien claimant, and the first and last dates that the lien claimant performed any labor or work or furnished any material to the improvement giving rise to the claimant's lien. If the affidavit is recorded, the omission or inaccuracy of any address in the affidavit does not affect its validity. The affidavit may be verified before any person authorized to administer oaths, whether agent for the owner, part owner, lessee, lien claimant, or an interested or other party.
- (B) The affidavit shall be filed within one of the following periods:
- (1) If the lien arises in connection with a one- or two-family dwelling or in connection with a residential unit of condominium property as defined in Chapter 5311. of the Revised Code, within sixty days from the date on which the last labor or work was performed or material was furnished by the person claiming the lien;
- (2) If the lien arises under section 1311.021 of the Revised Code, within one hundred twenty days from the date on which the last labor or work was performed or material was furnished by the person claiming the lien;
- (3) If the lien is one not described in division (B)(1) or (2) of this section, within seventy-five days from the date on which the last of the labor or work was performed or material was furnished by the person claiming the lien.
- (C) The affidavit may be in the following form:



"AFFIDAVIT FOR MECHANICS' LIEN.

State of Ohio,				
County of,	ss:			
, whose address i	is		, being first	duly sworn, says
that, the lien cla	imant, furn	ished certain	material or pe	rformed certain labor
or work in the furtherance of improvemen	its located	on or remove	d to the land h	ereinafter described,
in pursuance of a certain contract, with		,	the owner, par	t owner, lessee,
original contractor, subcontractor, or other	r person, as	s the case may	y be, whose ad	ldress is
The first of the l	abor or wo	rk was perfoi	rmed or materi	al was furnished on
the day of		_ (year). The	last of the lab	or or work was
performed or material was furnished on th				
there is justly and truly due				
, the owner, part				
person, as the case may be, over and abov				
for which amount				
leasehold, of which				
may be, which property is described as fo				
				•
				•
Sworn to before me and subscribed in my	nresence t	his	day of	
,, (year).	Probelies t		au _j oi	



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- (D) For purposes of this section, the description of the property is sufficient if made in accordance with division (B)(1) of section 1311.04 of the Revised Code.
- (E) The county recorder shall indorse upon every affidavit the date and hour of its filing, and record it in the official records. No exemptions apply against any lien under this chapter.
- (F) One or more laborers may authorize an agent to prepare, execute, file, and serve the affidavit required by this section. The affidavit may set forth the claims of one or more laborers, provided that the affidavit separately itemizes the claim of each laborer and may set forth claims for wages that are contractually due but are unpaid.