



## Ohio Revised Code

### Section 1311.73 Lien perfected by filing affidavit with FAA - form of affidavit - time period for filing.

Effective: April 16, 1993

Legislation: House Bill 673 - 119th General Assembly

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(A) To perfect a lien that arises under section 1311.72 of the Revised Code, the person claiming the lien shall make and file for record with the United States federal aviation administration an affidavit verified under oath that includes the amount owed to the lien claimant for the labor or materials, a description of the aircraft that reasonably identifies it including the manufacturer, model, serial number, and registration number of the aircraft, the name of the person for whom the labor was performed or the materials were furnished, the name of the owner of the aircraft, if known, the name and address of the lien claimant, the date that the lien claimant or his employee last performed any labor upon or furnished any materials for the aircraft, the date that the lien claimant surrendered possession of the aircraft, if he surrendered it, and the name and address of the person who prepared the affidavit.

The omission or inaccuracy of any address in the affidavit does not invalidate the affidavit. The lien claimant may verify the affidavit before any person authorized to administer oaths, including an agent for the owner, the lien claimant, or any other interested party. An agent of the lien claimant may sign the affidavit for the lien claimant, provided that the agent states his capacity with respect to the lien claimant. A lien claimant is considered to have filed for record with the United States federal aviation administration an affidavit upon receipt of the affidavit by the United States federal aviation administration as evidenced by a certified mail return receipt.

(B) The affidavit may be in the following form:

"Affidavit for Artisan's Lien on Aircraft

State of Ohio,

County of \_\_\_\_\_, ss: \_\_\_\_\_,



\_\_\_\_\_ of \_\_\_\_\_ whose address  
is \_\_\_\_\_, being first duly sworn, says that he or his  
employee performed labor, repairs, services, or maintenance upon or furnished storage, materials,  
products, substances, accessories, parts, or equipment for a certain aircraft or part or equipment of a  
certain aircraft at the request of \_\_\_\_\_, whose address is  
\_\_\_\_\_, and of which \_\_\_\_\_ is the titled owner.

The owner's address is \_\_\_\_\_

The aircraft upon which labor, repairs, services, or maintenance were performed or storage,  
materials, products, substances, accessories, parts, or equipment were furnished is identified as  
follows:

Manufacturer: \_\_\_\_\_

Model: \_\_\_\_\_

Serial number \_\_\_\_\_

Registration number \_\_\_\_\_

The last date that labor, repairs, services, or maintenance were performed upon or storage, materials,  
products, substances, accessories, parts, or equipment were furnished for the aircraft herein  
identified, including any part or equipment of that aircraft, was \_\_\_\_\_,  
\_\_\_\_\_

The lien claimant states there is justly and truly due, over and above all legal setoffs, the sum of  
\_\_\_\_\_ dollars, for which the lien claimant claims a lien on the aircraft identified herein.

The lien claimant states that he is (is not) currently in possession of the aircraft. (The lien claimant  
states that he surrendered possession of the aircraft on the \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_)



\_\_\_\_\_  
Lien claimant

\_\_\_\_\_  
Capacity with respect to lien

claimant

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary public

This instrument was prepared by \_\_\_\_\_ whose address is

\_\_\_\_\_  
" (C) A lien claimant shall file the affidavit within one of the following periods:

(1) Ninety days after the date on which he or his employee last performed labor upon or furnished materials for the aircraft that is subject to the lien, if he or his employee is in possession of the aircraft at the time of filing;

(2) Ninety days after the date on which he or his employee surrendered possession of the aircraft that is subject to the lien.

(D) Any lien claimant who files an affidavit may file a copy of the affidavit in the office of the county recorder in the county in which the labor was performed upon or the materials were furnished for the aircraft. The lien claimant shall pay to the county recorder the fee for recording an affidavit as determined under section 317.32 of the Revised Code.