



Ohio Revised Code

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

Effective: April 9, 2025

Legislation: House Bill 77

(A)(1) 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 all of the following information:

- (a) The amount owed to the lien claimant for the labor, storage, or materials;
- (b) A description of the aircraft that reasonably identifies it including the manufacturer, model, serial number, and registration number of the aircraft;
- (c) The name of the person for whom the labor was performed, the storage was provided, or the materials were furnished, if applicable;
- (d) The name of the owner of the aircraft, if known;
- (e) The name and address of the lien claimant;
- (f) The date that the lien claimant or the lien claimant's employee last performed any labor upon, stored, or furnished any materials for the aircraft, or if the storage is ongoing;
- (g) The date that the lien claimant surrendered possession of the aircraft, if the lien claimant surrendered it;
- (h) The name and address of the person who prepared the affidavit.

(2) 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 the agent's 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 Lien on Aircraft

State of Ohio,

County of _____, ss: _____,

_____ of _____ whose address is _____, being first duly sworn, says that such lien claimant or such lien claimant's employee performed labor, repairs, services, or maintenance upon, provided storage, or furnished 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 was provided, or 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 was provided, or materials, products, substances, accessories, parts, or equipment were furnished for the aircraft herein identified, including any part or equipment of that aircraft, was _____, _____, or alternatively, storage is still ongoing as of the following date: _____, _____, _____

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 the lien claimant is (is not) currently in possession of the aircraft. (The lien claimant states that the lien claimant 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 the lien claimant or the lien claimant's employee last performed labor upon or furnished materials for the aircraft that is subject to the lien, if the lien claimant or the lien claimant's employee is in possession of the aircraft at the time of filing;

(2) Ninety days after the date on which the lien claimant or the lien claimant's employee surrendered possession of the aircraft that is subject to the lien;

(3) Ninety days after the date by which the owner of an abandoned aircraft that is subject to the lien was required to remove the aircraft from the lien claimant's property in accordance with section 1311.721 of the Revised Code.

(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 or where the aircraft was stored. 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.