

**LiensNC**

# NC STATE LIEN AGENT SYSTEM

THE PROCESS AND HOW IT AFFECTS YOUR ROLE IN THE PROJECT

Presented by: Kim Tanner

# PRESENTATION AGENDA

1 Background & History

4 Pitfalls to Avoid

2 Requirements

5 Q & A

3 Responsibilities & Roles

6 Contact



# NC § CHAPTER 44-A, ARTICLE 2

Effective April 1, 2013

# ABOUT THE LIEN AGENTS

Investors Title Insurance Company



Steve Brown



CHICAGO TITLE  
INSURANCE COMPANY

Nancy Ferguson



*First American  
Title Insurance Company*

Karl Knight



Ken Stone



Valerie Jahn-Grandin & Michael Bates



Candice Redhead

PREMIER  
Land Title Insurance Company

Penny Jones

stewart®

Michael Medlock



Robert Bauchle



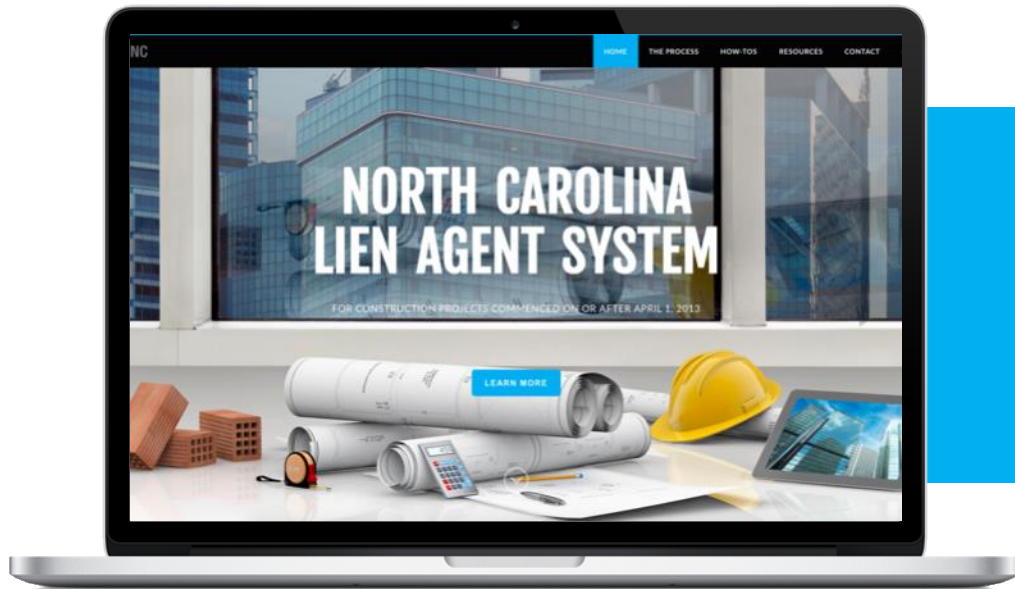
# ABOUT ME

In 25 years, we have developed thousands of unique ways to interact with government.



**EMPOWERING BUSINESSES AND CITIZENS**

# ABOUT LIENSNC



A collaborative effort of NIC and NC Lien Agents – LiensNC was designed to create construction project information transparency through an effective and efficient online registration filing system.



## Proven

Launched on  
April 1, 2013



## Trusted

\$0 Lost in Hidden  
Lien Litigation



## Secure

Industry Standard in  
Secure Data Transfer

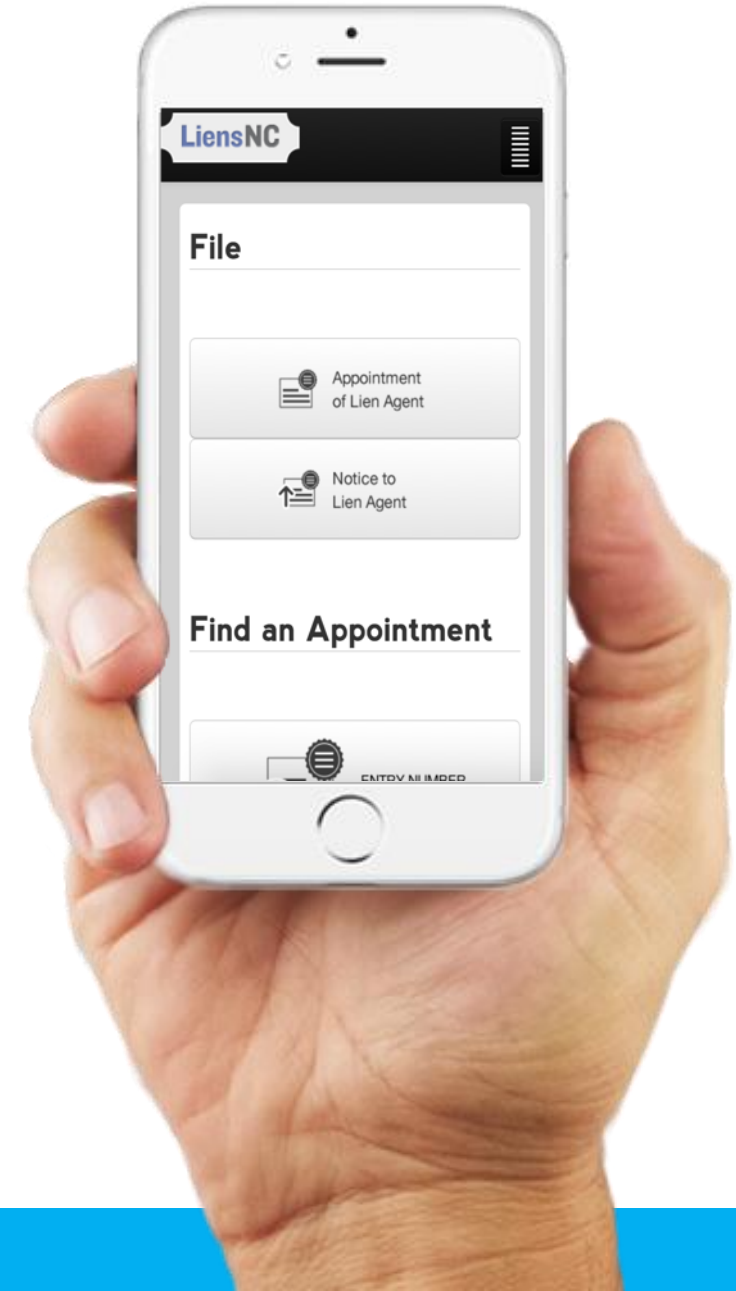


## Innovative

One of the First SCRs  
in the Country

# PURPOSE OF THE ONLINE SYSTEM

- ✓ MODERNIZES THE FILING PROCESS
- ✓ AUTOMATES NOTIFICATIONS
- ✓ CREATES TRANSPARENCY
- ✓ IMPROVES EFFICIENCIES
- ✓ HELPS PRESERVE LIEN INTERESTS





# APPLICABLE PROJECTS

Improvements & Filing Option Basics





# IMPROVEMENTS

Permit is required for **any improvement** made to real



Structures

Clearing

Grading

Filling

Landscaping

Pools | Accessory Structures | Private Roadways | Trees & Shrubs

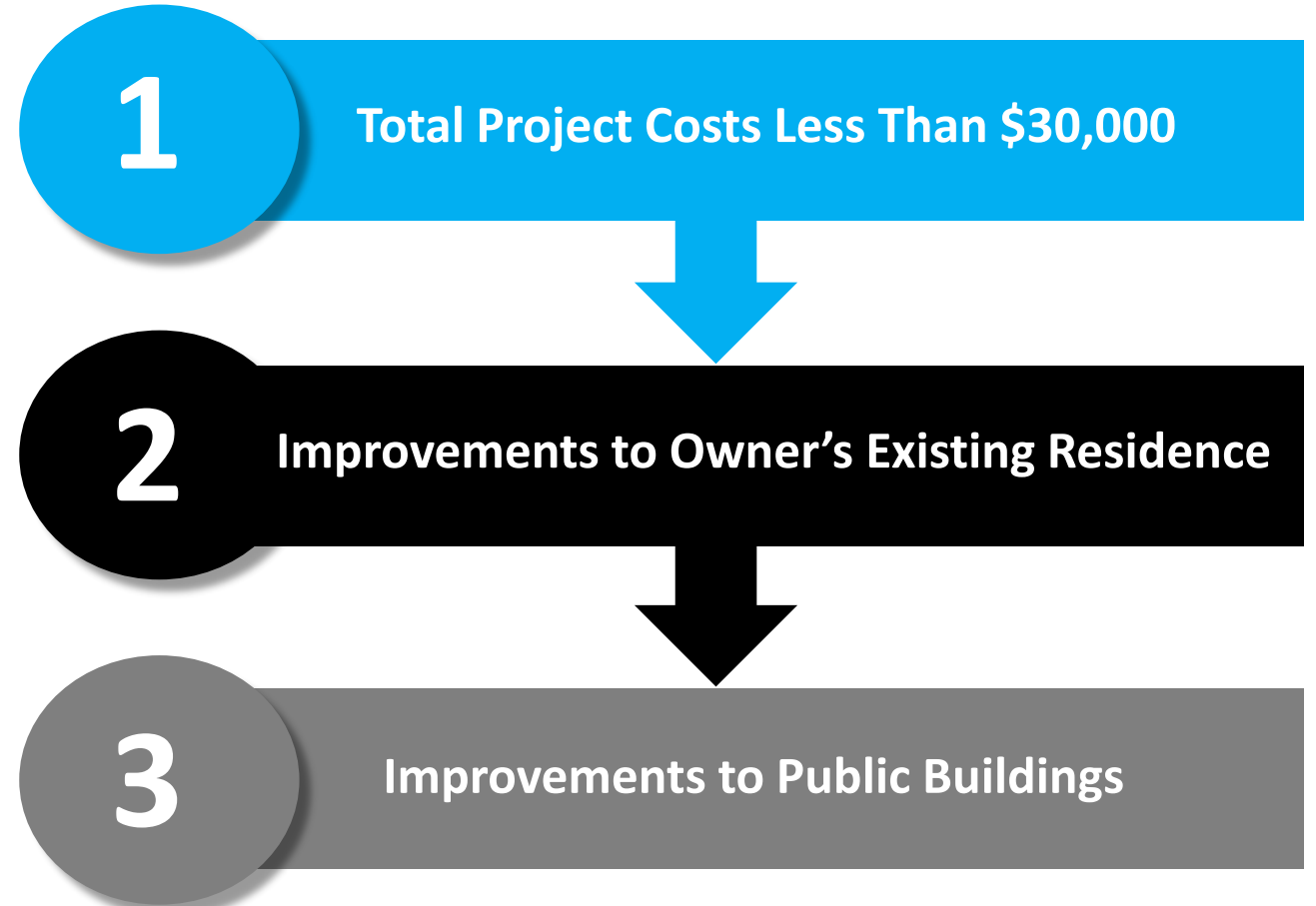
# LIEN AGENT NOT REQUIRED

## EXEMPTIONS

Although rare, a lien agent is not required under some conditions. There are **ONLY THREE** exemption situations:

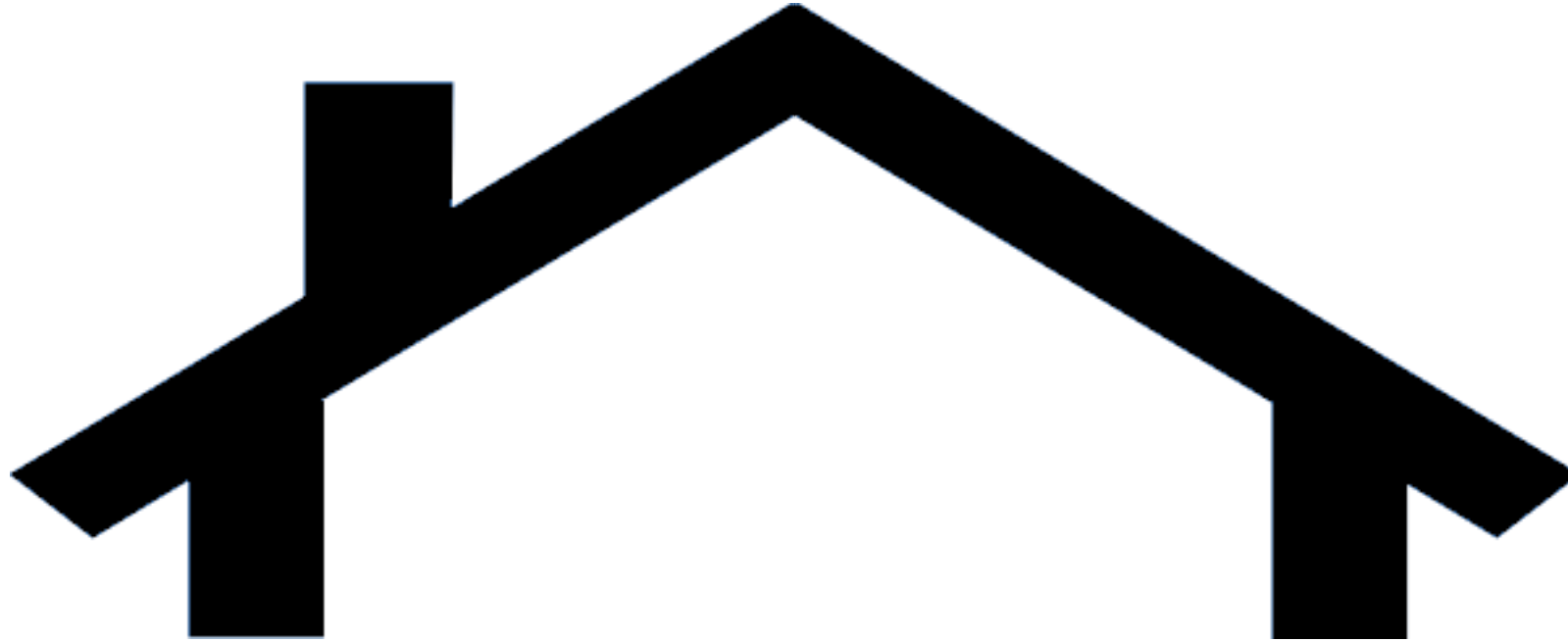
## WHEN IN DOUBT

The cost of the lien agent is minimal. Sometimes it is best to throw caution to the wind and require the lien agent even if your client believes the project is exempt.



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# ONLY TWO FILING TYPES



**APPOINTMENT OF  
LIEN AGENT**

**NOTICE TO  
LIEN AGENT**



# RESPONSIBILITIES

Your Role in the Project



# APPOINTMENT OF LIEN AGENT

## OWNER

The owner of the project property is legally responsible for appointing the lien agent. (NOT the contractor)



### Registers Project

The owner goes online and designates a lien agent. This registers the project into the LiensNC database.



### Tells Contractor

The owner shares the project Entry Number with anyone they contract with. (Typically the GC)



### Posts at Job Site

The owner ensures the lien agent details are posted at the job site until the project is complete.

# PROOF THAT A LIEN AGENT WAS APPOINTED



## OBTAINING A BUILDING PERMIT

LiensNC has designed a printout that provides all the necessary lien agent appointment details. This printout is the best method for ensuring the project has been filed with LiensNC.

## POST AT JOB SITE

The printout is also the easiest way to post the lien agent details at the job site, where it is required to be displayed conspicuously throughout the duration of the project. In doing so, this gives the PLC a more convenient way to file their notice of involvement.

**POST AT JOB SITE**

**Details: Appointment of Lien Agent** Filed on: 11/06/2017  
Entry #: 555555 Initially filed by: test user

Print & Post

**Designated Lien Agent**

Investors Title Insurance Company  
Website: www.itiens.com  
Address: 28 W. Hargett St., Suite 507 / Raleigh, NC 27601  
Phone: 888-695-7384  
Fax: 919-388-9226  
Email: support@itiens.com

**Owner Information**

The Jones  
123 Main Street  
Raleigh, NC 27601  
United States  
Email: proptowner@gmail.com  
Phone: 555-555-5555

**Project Property**

new single family residence in West Ashley @ Flowers Plantation  
177 Ashley Woods court  
Cary, NC 27513  
Johnston County

**Property Type**

1-2 Family Dwelling

**Date of First Furnishing**

11/06/2017

Contractors:  
Please post this notice on the job site.  
Suppliers and Subcontractors:  
Scan this image with your smart phone to view this filing. You can then file a Notice to Lien Agent for this project.

# NOTICE TO LIEN AGENT



## POTENTIAL LIEN CLAIMANT

Anyone who provides labor or materials for improvements to the project property are considered a potential lien claimant. (aka PLC) Including: contractors/subcontractors (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> tier), suppliers, architects, designers, surveyors, etc.

**PROTECTS PLC'S LIEN RIGHTS**



### Gets Permit

PLC uses lien agent info to get building permit



### Files Notice

PLC notifies lien agent of their involvement



### Tells PLCS

PLC shares Entry Number with lower-tier PLCs

# VIEWING PROJECT INFORMATION



## Transparency

Anyone can create a user account and view project details



## Consistency

Familiar format – making it easier to find what you're looking for



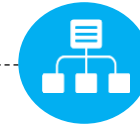
## Statistical Data

Snapshot of building trends used for market research



## Resource Database

Efficient source for contact information of involved parties



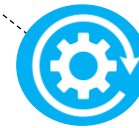
## Related Filings

Reporting tool to compile a list of PLCs involved in the project



## Consolidated Information

One-stop shop for all NC lien agent information



CLOSING ATTORNEYS | LENDERS | OWNERS

PLC'S | LIEN AGENTS | INTERESTED PARTIES



# EVERYONE GETS PAID!



Workers from PLCs

Searches  
Liens  
and/  
monitor the  
project

Gets b  
notice of  
ent through Li

Uses Entry # to lower-tier subs

Uses the owner's  
Ent

PLC involvement

Gets no  
project

entry #  
contract

Provides the  
job site

price





# WHY IT MATTERS

& Pitfalls to Avoid

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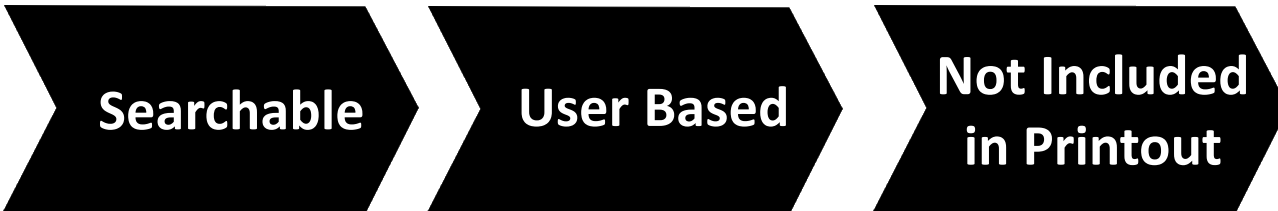
# WHAT ABOUT COMMENTS?

## ADDITIONAL PROJECT INFORMATION

Comments allow filers to provide:

- ✓ Corrective information if they made a mistake, or
- ✓ Supplemental information if they forgot to include something

### COMMENTS ARE...





# WHY THE ENTRY NUMBER IS SO IMPORTANT



## MISSING PROJECTS

In many instances, the project is not listed online even though a building permit was issued



## ONLINE PERMIT

It should be very clear on the online building permit that the designation of lien agent is a separate process



## REUSABILITY RISK

Filers are less likely to reuse the same Appointment over and over if they are required to give the Entry #



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# WHY THE OWNER SHOULD APPOINT THE LIEN AGENT

## LEGAL ISSUE DOMINO EFFECT

There are several reasons why the owner should be the one who appoints the lien agent. (i.e. registers project)

- The contractor does not have all the information. (especially the owner's contact information)
- The contractor may falsely enter information to keep PLCs from finding the project; thus not giving them the opportunity to file their notice of involvement.
- All subsequent PLC's lien rights could be jeopardized if the Appointment was not filed correctly.



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 1

Who is the  
lien agent?

The what?



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 2

Did the owner  
give you their  
lien agent  
Entry #?

I've been doing  
this for 15 years,  
and this is the  
first time I've  
been asked that.



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 3

Sir, I'm  
required to get  
the lien agent  
information.

No other  
county makes  
me do this.





# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 4

Lien agent  
information  
please.

My project is  
exempt. I don't  
have to do this  
because it's a  
kitchen remodel.



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 5

Please tell me  
you have the  
lien agent  
information.

I have an Entry  
Number, but I  
don't know who  
the lien agent is.



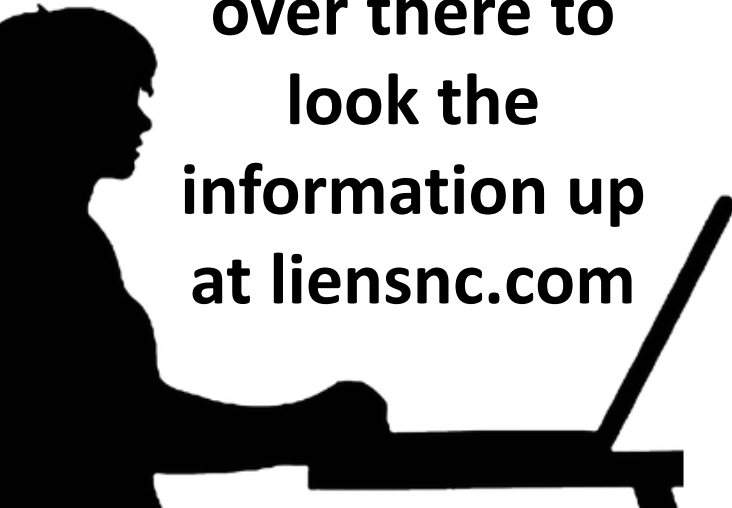
# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

## DAY 6

Sir, you can use  
the computer  
over there to  
look the  
information up  
at [liensnc.com](https://www.liensnc.com)

Do you know  
my username  
and password?



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 7

If I don't have the lien agent information, I can't issue a permit.

Can you look online and see if you can find it?





# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 8

Lien agent?

Chicago  
Title.



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 9

I see you have  
a new project.  
Who is the  
lien agent for  
this one?

Chicago  
Title.



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 10

Wow! You're  
busy. Lien  
agent please?

Chicago  
Title.

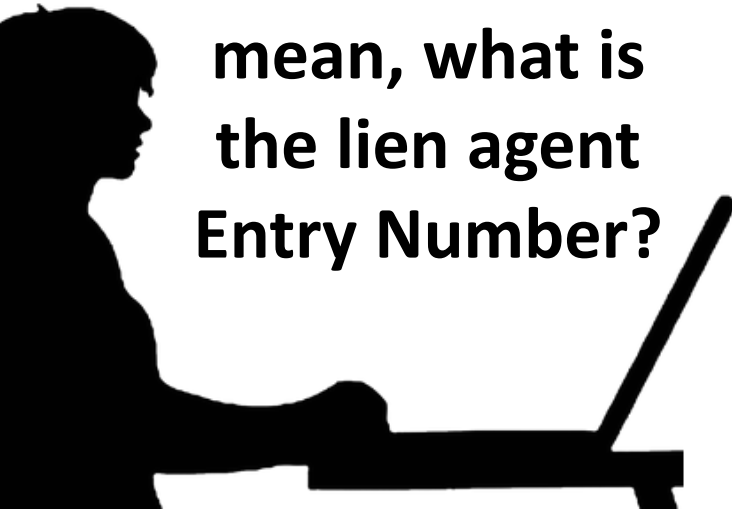


# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 11

Who is the...I  
mean, what is  
the lien agent  
Entry Number?



Dang it!





# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

## DAY 12

Sir, this is the same lien agent Entry Number you gave me last time.

Yeah. That's why I left the property blank; so I can just write it in each time.



# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

DAY 13

Did the owner  
appoint a lien  
agent?



The owner? I usually do it. You should do what that other county does and let me pick the lien agent online when I'm filling out the permit application. It's WAY easier.

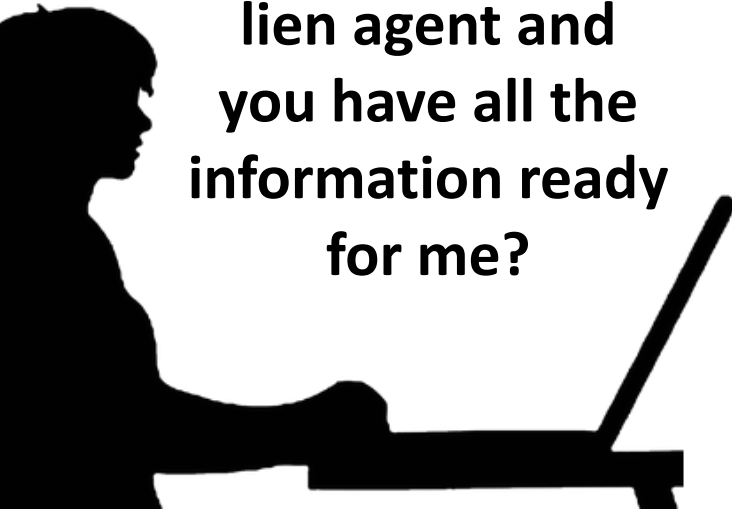


# WHAT TO DO WHEN THEY DON'T HAVE A CLUE

BUILDING INSPECTIONS

## DAY 14

What? The owner appointed the lien agent and you have all the information ready for me?



The customer support team at LiensNC explained the process to me. I'm glad you gave me their contact information.

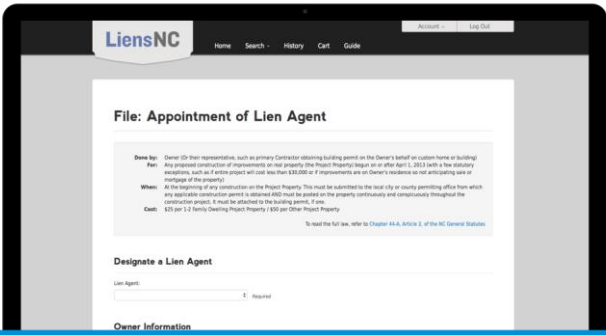


# LET'S SEE WHAT YOU'VE LEARNED

The Only Thing Between You and a Water Bottle



# 1 Appointment of Lien Agent



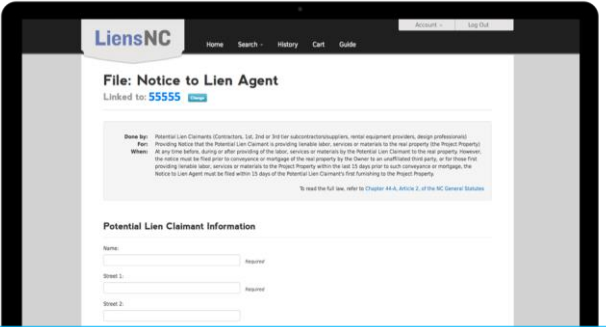
OWNER

# 2 Project Details Printout



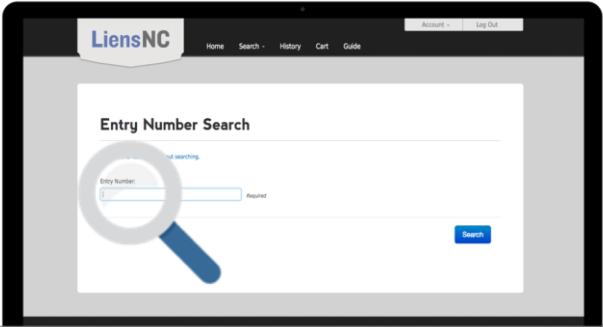
OWNER OR PLC

# 3 Notice to Lien Agent

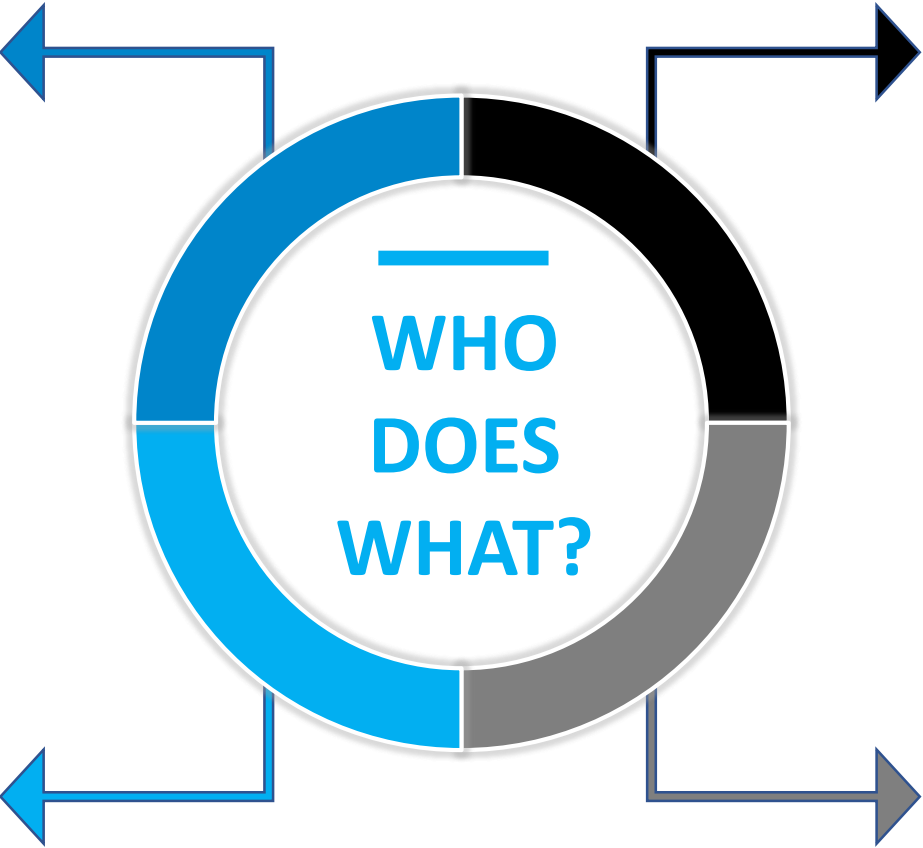


PLC

# 4 Search for Related Filings



INTERESTED PARTY



The background of the slide is a light gray gradient with a pattern of question marks in various shades of gray and blue. A solid blue horizontal band runs across the middle of the slide, containing the main text.

# QUESTION TIME

Ask Me Anything



**HOW CAN I ASSIST YOU?**

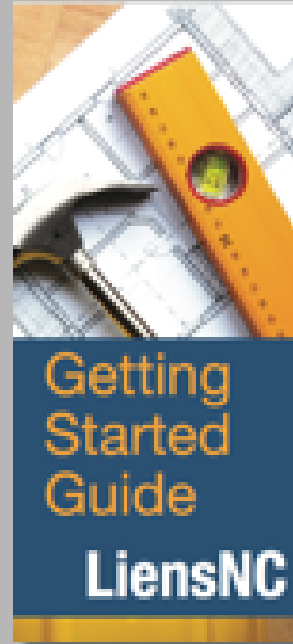
Helpful Resources

# PRINTABLE MARKETING MATERIALS

## INSTRUCTIONAL GUIDE



## BROCHURE



## POSTER



# CONTACT US

## CUSTOMER SUPPORT

**Address:**

19 W Hargett Street, Suite 507 | Raleigh, NC 27601

**Phone:**

888-690-7384

**Email:**

[Support@liensnc.com](mailto:Support@liensnc.com)

**Website:**

[www.liensnc.com](http://www.liensnc.com)

