

Lien Filers|etc.
OF HEATH W. WILLIAMS, LLG.

**Put us to
work**



Revenue recovery experts for contractors.

tel 770.926.2790 fax 770.926.2512
5655 Lake Acworth Drive, Suite 310, Acworth GA 30101
www.lienfilers.com



Lien Filers|etc.

OF HEATH W. WILLIAMS, LLC.



Stop spinning your wheels and leaving money on the table.

Put us to work for you.

When you put our experienced, dependable professionals to work on your lien filings, you will find you have more time to spend on working current jobs, winning the next bid and building up your bottom line.

Lien Filers, Etc. of Heath W. Williams, LLC. specializes in recovering lost revenue for contracting firms. We get the job done – whether you need help with:

- >> Lien Filings
- >> Notice of Commencement Filings
- >> Notice to Contractor Filings

At Lien Filers, Etc. of Heath W. Williams, LLC., our professionals know how to get results, research and file liens, and recover lost revenue for contracting firms. It's something they do every business day —so let us go to work on your lien filing needs — so you can go to work doing what you do best as a contractor — winning jobs and building the business.

We file liens for you.

We file liens for you.

We provide first-rate lien filing services at reasonable rates statewide.

To get started, just complete our lien request form, including information on the last date worked, party contracted with, general contractor (if different from the party that owes you), address of the property (subdivision and lot number) and the county where the property is located. Then fax the form to us.

We'll take care of the rest.

Throughout the process, we'll keep you informed of every step along the way – from acknowledging the receipt of your order to confirming the filing of your lien. We'll let you know which parties were notified and when your lien is released or cancelled.

We deliver a weekly report on all liens filed that week, including contractor liened, jobsite liened, lien claimant and satisfied liens. This report helps our active clients make better decisions on:

- >> Which contractors to avoid
- >> When other liens are filed
- >> Whether to extend credit
- >> Which parties get paid

Rates— Residential

Our rates are based on having complete and accurate information, including correct address of jobsite, names of parties involved, amounts owed and so on. Incorrect or partial information may incur additional charges. The zones are based on driving distances and volume in that county.

Zone 1 — \$135.00

Bartow, Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry and Paulding counties

Zone 2 — \$185.00

Barrow, Carroll, Coweta, Dawson, Floyd, Gordon, Hall, Newton, Pickens, Rockdale and Walton counties

Zone 3 — \$210.00

Butts, Gilmer, Haralson, Jackson, Lamar, Lumpkin, Morgan, Pike, Spalding and White counties

Zone 4 — \$245.00

Bibb, Chatham, Clarke, Houston, Lowndes, Muscogee, Oconee, Polk, Richmond, Towns, Upson,

Whitheld counties

Any other Georgia counties not listed will be billed at Zone 4 rates.

Volume lien rates: The rst lien is billed according to zone, then each additional lien placed at the same time in the same county is billed as follows:

2 to 4 liens	\$107.00
5 to 9 liens	\$102.00
10 to 14 liens	\$92.00
15 to 19 liens	\$87.00
20 or more liens	\$82.00

An additional fee of \$47.50 will be charged on liens over \$2,000.00.

Liens are normal price up to \$100,000.00, then an additional \$75.00 per \$100,000.00 after.

*Note: Above rates do not include filing fees.

Rates—Commercial or Non-Residential

These properties require more labor and research than residential properties.

Zone fee plus \$75.00

Other Services

Notice of Commencement.....	Same as a lien
Title Report	Same as lien
Preliminary Lien	Same as lien
Preliminary Lien & Lien	Same as lien
Lien Release	\$100.00
Extra Certified Mailers	\$35.00 each
Amend Lien	\$100.00
Two-day rush	\$100.00
Next-day rush.....	\$125.00
Wrong county fee	\$65.00
Incorrect address	\$55.00
Drive-by jobsite	\$55.00
Additional research(hourly)	\$125.00 / hr (1 hr minimum)

Note: Above rates do not include filing fees.

Same Day Service is not always available.

Automated Fax Notification Service

You will receive a fax notification of all orders placed to include:

1. Acknowledgement that we received your order.
2. Confirmation that your order was filed & who was sent notices.
3. Confirmation that a lien release or cancellation was filed. Faxes are sent each business day by 5:00 PM.



We file notices for you.

We file notices for you.

We can file notices of commencement in Superior Court for you on larger projects that add requirements to subcontractors or suppliers who lack a direct contractual agreement with the general contractor. In addition, the law requires the filing of the notice in the county Superior Court where the job site is located and the display of the notice at the job site.

Under law, any supplier or subcontractor who has provided labor, goods or materials to a job site must notify general contractors within 30 days. We can help you meet legal requirements with polite, professional, straightforward, easy-to-read notices and letters that inform all parties that you have contracted to deliver labor or materials to the job site.

Rates

Notice of Commencement

Service includes: preparation, filing with court and forwarding recorded copy to you.

Notice to Contractor

If the General forwards a copy to us, we will file a Notice to Contractor on your behalf with the General Contractor by Certified Mail. The copy of the Notice of Commencement will be forwarded to you along with the request letter and the Notice to Contractor.

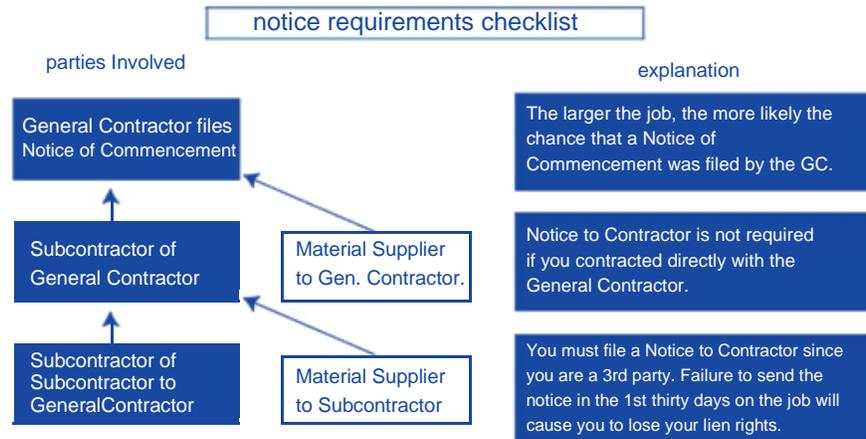
Price: \$110.00 for Notice.

Important Note for Sub-Contractors or Suppliers:

If a Notice of Commencement was filed by the General and you were not hired by the General, you must file a notice to contractor (in writing) within 30 days of providing your service, materials or labor or you will lose your lien rights.

in a nutshell

Notice Requirements in a Nutshell



Included in basic service or standard fee for liens

- >> Researching and verifying information to determine owner
- >> Preparation of document for filing
- >> Limited title research and photocopying expense
- >> Labor, mileage and travel expense
- >> Certified Mail notice to property owner
- >> First class notice to contractor, if different from property owner
- >> Notices are sent to the addresses that you supply for the contractor
- >> Fax notification on all activity on your orders

What is not included

Our prices are based on having accurate information. We simply cannot provide free research or consulting when we are not supplied the correct information to handle your request. Therefore, additional charges apply when we encounter any of the following problems:

- >> Wrong County
- >> Incorrect, incomplete or insufficient address
- >> Not having a correct lot number or subdivision name
- >> Must drive by jobsite to determine location
- >> Time required to figure out the proper party that you contracted with
- >> Working from a rough map to figure out the jobsite
- >> Resending notices when you supplied an incorrect address
- >> Last-minute requests for a lien
- >> Other problems involving incomplete or incorrect information that require additional time and effort
- >> Filing fees to record the lien

Filing procedures

Liens are filed in the respective county in which the property is located. The original recorded lien is returned to Lien Filers, Etc. of Heath W. Williams, LLC. after recordation. The time that it takes for the Superior Court to return the original document varies significantly by County. The amount due on the lien will not include the lien filing fee. Therefore, we suggest that you use that figure plus a \$100.00 lien release fee when you quote a payoff to the contractor or closing attorney. Each lien includes a clause for applicable interest (7% under state law) from the date of filing.

Safekeeping of Liens

Lien Filers, Etc. of Heath W. Williams, LLC. will receive the liens from the Courthouse and safekeep the lien for you until such time that you request a release of lien by fax. Clients have the option to have all of their liens returned to them from the courthouse. We request that you make this election prior to filing the lien. If you select this option, it will apply to all liens, not on a case-by-case basis, to prevent confusion.

Release of Lien

You may request a cancellation of lien by fax. The order form has a section at the bottom that can be signed to cancel. Simply, sign the bottom and fax your original request back to us. In some cases, we may not have the original lien back from the Courthouse. In these cases, we will flag the lien that it does need to be canceled and release it when the original arrives. The original lien must be marked as canceled so that the courthouse can cross-reference the original document to indicate that it too has been satisfied.

Billing

We will send you a copy of the lien with the invoice for your records. This is not the original lien, but simply a copy for you to keep. At this point, the lien has been filed and the copies have been mailed to the appropriate parties.

SAMPLE REPORT



Lien Filers|etc.
OF HEATH W. WILLIAMS, LLC.

ORDER ACKNOWLEDGMENT/CONFIRMATION FAX

5655 Lake Acworth Drive, Suite 310
Acworth GA 30101

770-926-2790
FAX 770-926-2512

11/18/03

Sally Jones
CustomerID 1234
ABC Contracting Co.

Phone 404-555-1212

Fax 404-555-0111

The following report is being faxed to you to confirm the activity on the recent orders. This report will include a maximum of 3 sections consisting of : 1. Acknowledgment of Orders Placed for filing, 2. Confirmation that the order has been filed and who was mailed notices, 3. Confirmation that a Lien was released.

We have received the Lien for filing per your request

Debtor: XYZ Builders 523 Main Street Alpharetta, GA 30002

Jebite: Bridgmill Subdivision, LOT 33-D

	Last Date Worked	Order Date	Requested Lien	Balance
Cherokee County	1/25/03	3/26/03		\$10,450.00

The Lien that you requested has been filed. A copy is being mailed to you.

Debtor: Johnson Builders Property Owner: Abe Johnson
456 Pine Street 456 Pine Street
Acworth, GA 30102 Acworth, GA 30102

	Last Date Worked	Order Date	Requested Lien	Balance
Bartow County	1/25/03	3/25/03		\$6,250.00

Notices Mailed as Follows:

3/25/03	4:30PM	Acknow	Acknowledgment faxed to client that order was received
3/26/03	10:30AM	Certified	Certified Mail# 7106 4575 1294 1752 675 sent to Abe Johnson
3/26/03	10:31AM	First Class	First Class Notice sent to Abe Johnson of Johnson Builders on 3/26/03

The cancellation of the lien listed below has been completed. A copy is being mailed to you.

Debtor: Smith Home Builders 125 Oak Street Jonesboro, GA 30236

Jebite: Lot 2 Dixie Hills 6451 Tara Woods Drive

Clayton County Lien Release Date: 3/25/03 Status: Satisfied

Frequently asked questions

Frequently asked questions:

When should I file a lien on the job?

We recommend that 60 days is more than ample time for you to get paid. Most contractors get a regular draw for percentage of completion. The question that you have to ask is why didn't they pay you when they got paid for the work that you did? The longer that you wait, the less likely that you will get paid and the more likely that other subs will file their lien ahead of you. One example is a client that waited until the last week to demand their money; the contractor gave them a check that bounced. By the time that the check was returned as "account closed", the 90 days had expired to file the lien.

What does the lien fee cover?

The filing fee covers the basic research for the property. Basic research includes having the correct information such as the parties that you contracted with including addresses, correct county, physical address of property, etc. We prepare the lien. We mail the notices out and send you a copy.

Do you mail notices to the parties that the lien was filed against?

The property owner is mailed a notice by Certified Mail and the Contractor, if different from the property owner is notified by First Class Mail.

Can I release the lien from the copy that I have?

The original lien is needed with the Deed Book and Page number to completely cancel the lien. If the original lien is lost or has not been returned by the court, we can do a special cancellation that still requires the original recording reference. The billing copy that you receive probably will not have this information.

The Contractor wants us to release the lien before we can get paid.

This is probably the worst thing that you can do. What happens if you release the lien and they fail to pay? Your 90 days to file have most likely passed and you cannot re-file. We recommend getting the original lien and exchanging the lien for certified funds. Do not sign the cancellation at the bottom until you have the check in hand.

How soon do I have to release the lien after I have been paid?

If you have accepted a company or personal check, a good rule of thumb is to deposit the check as soon as possible and allow 5 business days on a local check and 10 days on an out of state check to be sure that the check clears.

How quickly can I get the original lien?

Just give us a call and we will gladly mail it to you. If you are in a big hurry, you can pick it up, send a courier, or give us your Fed-Ex number. This is contingent on our having received the original lien from the Court. Each court has a different turnaround time on documents, Some courts will give you the original at the time of filing while other Courts may take 3 months to return their documents.

Can I have the lien sent directly to me from the Court?

Yes. Please let us know before we file the lien so that you will be listed as the return address for the court.

By what date should I file my lien?

A lien must be filed within 90 days of substantially completing the work. Specifically, if your last date of work was January 8th then the last possible date to file is April 7th.

Can punchlist work be used as the last date worked?

You can use a punchlist date as the last date of work for filing the lien. However, you need to be aware that you may need to substantiate this date by a witness or signed service ticket to prove that you were indeed there on the date given.

RETAINAGE

Retainage can be included in the lien amount provided that you have substantially completed the work. In cases where problems developed when the job was only 50% complete, you should only include the same percentage for the retainage. A lien still has to be filed within three months of completing the work, so don't let your time expire on retainage.

Lien Waivers: Can I still file a lien?

You need to read every document carefully before signing it. If you executed a full and final lien waiver, you cannot file a lien. An interim lien waiver allows you to file a lien for any work that was provided after the date of the execution of that document. We recommend using a conditional waiver that is dependent upon payment and the check clearing the bank.

Why do I need the original lien to cancel it?

The Court will cross reference cancellations back to the original document to make it clear that it has indeed been satisfied. They will make this notation in the indexes and will physically mark the original that it was satisfied in the deed book. If the original document or subsequent cancellation does not have this notation, they cannot properly cancel the original.

I could not find the cancellation of record.

This can happen when inexperienced people try to look up documents at the courthouse. The document is recorded but they do not know what to look for.

What does Lien Filers do when we get a call about one of your liens?

We get a lot of calls from the contractors and property owners. In each case we will encourage them to call you directly to work out payment arrangements.

Will you let us know if you have other liens against the same contractor?

Yes. We will encourage you to contact the other client(s) because they are usually involved in a different trade and not a competitor of yours. The weekly fax report is the best way to keep posted on lien activity.

Can I charge for filing fees and interest?

No. Please do not include lien fees as this will invalidate the lien under Ga. Law.

Payoff Letters: what are they and how do they work?

Payoff letters are prepared and faxed to closing attorneys for any property that we have filed liens on your behalf. The letter includes the lien amount, cancellation fee and interest at 7% per annum. The payoff is figured through the closing date and a daily interest factor is included for each additional day past the original closing date. The letter is faxed to the attorney with instructions to escrow the money and forward the payoff to Lien Filers. Upon receipt of the check, we will cancel the lien, and forward the original check from the attorney to you along with an invoice for the cancellation and the payoff letter. You receive a better return on your money by allowing us to do the payoff letter because our computer figures all of the fees automatically. Payoff letters are \$110.00.

Can we lien a federal, state, county or city owned property?

No. You cannot file a lien against this type of project. The rules are governed by the Miller Act or Little Miller Act. Government entities are required to have a performance bond to protect contractors that provide labor or materials. The claim process is a completely different procedure.

How long is a lien in force?

A claim of lien is good for 1 year from the filing date of lien. A claim of lien is basically a claim and not a perfected security interest (such as a Deed to Secure Debt). Liens cannot be renewed unless you have been back out to substantially complete more work (the job was liened when you did the 1st phase or "rough", then you completed the "final" phase and need to file another lien). A suit is required to perfect your claim of lien and must be filed within the 1 year of completing the work. This is something we can handle for you.

We filed a lien two months ago and nothing has happened. What should I do?

This can be the result of a number of factors such as, you may have been an early supplier in the project, and the house may still be for sale, the homeowner is not selling the house, the permanent financing may be delayed, or work may have stopped on the project.

Does a Lien guarantee that we will get paid?

Filing a lien can be an effective collection tool but does not guarantee that you will be paid. A properly and timely filed lien will help in having the lien discovered in a title exam and your being paid through the closing attorneys. Many times the filing of the lien gets the owners attention and they will pay the lien shortly after it is filed. Other factors can delay payment for an extended time such as lack of sales in that subdivision, Bankruptcy, foreclosure or a bond is filed on the job. These problems can be difficult to work through and will have a large impact on your getting paid. Sometimes the contractor just wants to wait you out past the 1 year from your completing the work.

The property is being foreclosed next month, what can I do?

A foreclosure generally wipes out any prior encumbrances on the property. Occasionally, the property may bring more than what is owed. When this happens the liens or other claims are paid in chronological order that they are filed until the money runs out. The best that you can do is to file early so that you will be higher on the list.

Put us to work today.

Let us go to work on your lien filing needs — so you can go back to work doing what you do best as a contractor – winning jobs and building the business – and your bottom line.

We get the job done – whether you need help with:

- >>Lien Filings
- >>Notice of Commencement Filings
- >>Notice to Contractor Filings
- >>Suits

Services and Benefits

- >>Professional lien filing
- >>Automated fax notification
- >>Client's funds are held in an escrow account
- >>Bonded and insured
- >>Trained, knowledgeable and professional staff
- >>Personalized service
- >>Monthly status reports.
- >>Reasonable rates for exceptional service.

our lien filers, etc. staff is ready to meet your recovery needs from our new offices.



tel 770.926.2790 fax 770.926.2512

5655 Lake Acworth Dr, Ste 310
Acworth, Georgia 30101

www.lienfilers.com



*Certificate of Insurance gladly
supplied upon request.*



REQUEST TO FILE A CLAIM OF LIEN

5655 Lake Acworth Dr. NW, Suite 310
Acworth, GA 30120

770-926-2790
FAX 770-926-2512

Your Company Name _____ Contact _____

Address _____ City _____ State _____ Zip _____

Phone# _____ Fax# _____

Jobsite or Subdivision Name _____ Lot# _____ Section _____

Address _____ County _____

City _____ State _____ Zip _____

Who hired your company? _____

provide EXACT company name — THIS IS VERY IMPORTANT to list the proper party or your lien rights may be affected

Address _____ Apt. or Suite # _____

City _____ State _____ Zip _____

Property Owner's Name _____

Address _____ City _____ State _____ Zip _____

General Contractor's Name _____

if different from the company you contracted with

Address _____ Suite # _____

City _____ State _____ Zip _____

Last date regular work performed _____ Notice to Contractor Filed? YES NO

must be within 90 days Date Notice Filed _____

Total Outstanding _____
Please do not include lien fees as this will invalidate the lien under Ga. Law.

I authorize Lien Filers, etc. of Heath W. Williams, LLC to file a lien on the above-mentioned property/project and payment for services rendered. We are in substantial compliance within the terms of our contract/agreement and lien waivers have not been executed. All of the information supplied is true, accurate and correct for a legitimate debt that is owed on this jobsite. Client grants Lien Filers etc. of Heath W. Williams, LLC a limited power of attorney to sign their name for this lien or cancellation.

Signature _____ Title _____ Date _____

Print name _____

Cancellation request

Please cancel this lien _____

Signature _____ Date _____



NOTICE OF COMMENCEMENT

5655 Lake Acworth Dr. NW, Suite 310
Acworth, GA 30120

770-926-2790
FAX 770-926-2512

Property Owner _____ Phone _____

Address _____ City _____ State _____ Zip _____

Person other than owner at whose instance the improvements are being made.

If Applicable

Name _____

Address _____ Suite # _____

City _____ State _____ Zip _____

Please indicate if you
are not the G.C.

General Contractor _____

Address _____ Suite # _____

City _____ State _____ Zip _____

Project Name _____

Address _____ County _____

City _____ State _____ Zip _____

Legal Description (send copy if available) _____

Surety or Payment Bond by _____

Address _____ Suite # _____

City _____ State _____ Zip _____

Construction Lender _____

Address _____ Suite # _____

City _____ State _____ Zip _____

Your Company Name _____ Contact _____

Phone _____ Address _____

City _____ State _____ Zip _____

I authorize Lien Filers, Etc. of Heath W. Williams, LLC to file a Notice of Commencement on the above mentioned property/project and payment for services rendered. Client grants Lien Filers a limited power of attorney to sign their name for this document.

Signature _____ Title _____ Date _____

Print name _____



NOTICE TO CONTRACTOR

5655 Lake Acworth Dr. NW, Suite 310
Acworth, GA 30120

770-926-2790
FAX 770-926-2512

Check box for service(s) requested

**Notice to Contractor
Fee \$110.00**

General Contractor _____

Address _____ Suite # _____

City _____ State _____ Zip _____

Company you contracted with _____

Address _____ Suite # _____ Permit # _____

City _____ State _____ Zip _____

Project Name _____

Address _____ Suite # _____

City _____ State _____ Zip _____

Contract Price \$ _____ **First Date of Service** _____

or anticipated value of labor and materials

must be within 30 days

Materials, Labor or Service provided _____

(briefly describe)

Your Company Name _____ Contact _____

Phone _____ Address _____

City _____ State _____ Zip _____

I have requested that Lien Filers, Etc. of Heath W. Williams, LLC as my agent, send a Notice to Contractor on the above described property. I understand that Lien Filers, Etc. of Heath W. Williams, LLC will rely on information supplied by me. I authorize payment for the work requested with this order.

Signature _____ Title _____ Date _____