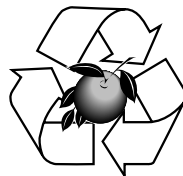


WHEN CAN A LIEN BE FILED AGAINST YOUR PROPERTY?

1. Consult an attorney regarding the Mechanics' Lien Law.
2. Make sure the Notice of Commencement was properly filed in the Clerk of the Circuit Court office.
3. Before making any payments to your contractor, you should get a written notarized partial or full release of lien that the contractor has paid all of the bills for your job.
4. If you have received a "Notice to Owner" from anyone, you should require your contractor to get a notarized release of lien from each person stating that they have been paid for all work done on your job. This should be done before making payments to your contractor.
5. If you are borrowing money to complete the improvements and the lender pays the contractor directly, you should make sure the lender is getting these notarized releases of liens before any payments are made to the contractor.

TIPS

- Avoid any contractor who requires advance payment. Arrange to pay after the work is completed or in regular payments according to the amount of work done.
- Notarized release of lien ensures that you will not have to face double payment or possible loss of property to the unpaid parties.
- Don't sign a work completion certificate until ALL work is completed to your satisfaction.
- Avoid paying cash.
- If you are financing the improvement or repair, compare the interest rates and payments of several lending institutions, especially if you are considering a second mortgage to finance the improvements.

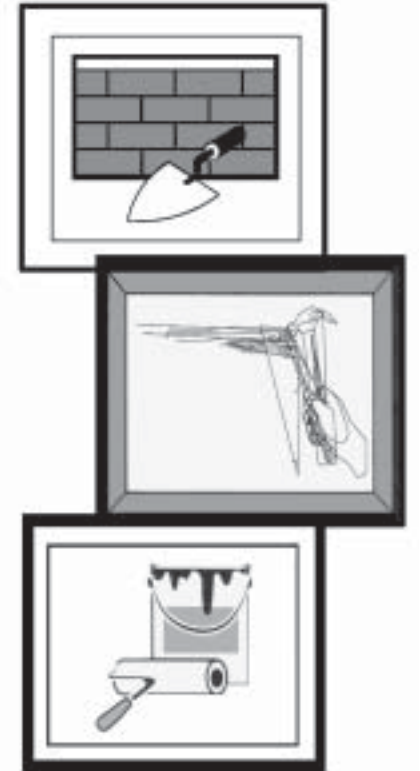


Orange County
Consumer Fraud Unit
415 North Orange Avenue
Reply To: Post Office Box 1673
Orlando, Florida 32802-1673

ORANGE COUNTY GOVERNMENT
FLORIDA

ORANGE COUNTY
CONSUMER FRAUD UNIT
407-836-2490
WEBSITE: www.onetgov.net

HOME REPAIR



**Education is Protection;
Knowledge is Power.**

Home improvements and repairs can pose many difficult problems and complaints for consumers. The general guidelines and cautions contained in this pamphlet can assist consumers and should be considered when dealing with home contractors.

BEWARE OF CON ARTISTS!

They may:

- Solicit door-to-door (and have usually “just finished a job down the street”).
- Arrive in unmarked vans or trucks.
- Have a Post Office Box address with no street address or give a street address of a local motel as their address.
- Promise to use your home as a “demonstration model” - at a bargain price.
- Offer to work for you only if you will obtain any necessary building permits, which makes **YOU** responsible for the work done.

FIND A REPUTABLE AND RELIABLE CONTRACTOR BY:

- Checking to see if your contract has fulfilled the occupational licensing requirements established by your city, county, and the Florida Department of Professional Regulation.
- Determining how long a contractor has been in business. You may also wish to check with local building supply retailers. A contractor who has been in the area a while and has a reputation for using quality materials and paying his bills with suppliers is more likely to “make good” either in service or money for unsatisfactory work.

- Checking with the Better Business Bureau: 407-621-3300, and the Department of Professional Regulation (Complaints: 1-800-342-7940) to determine if complaints have been filed against the contractor or to check on their state license. After checking a complaint history, weigh everything you have learned before jumping into hiring a firm. Remember, don’t let this be your only criteria for selection.
- Asking for references of persons for whom the contractor has done work, and checking them out.

NARROWING THE FIELD

- Choose several contractors and obtain written estimates from each. Explain what you want done, specifying such items as the quality and type of materials.
- Obtain detailed estimates from several contractors for the materials specifications, the length of time the job will take, and the total cost.
- Be suspicious of a contractor who offers the fastest, cheapest job on a “now or never” basis. Poor workmanship, inferior materials and unfinished jobs are often the results of his efforts.
- Remember, reduce the agreement to writing.

BEFORE SIGNING CONTRACT . . .

- Read it carefully.
- Ask for legal explanations and/or clarifications – understand what you are signing.
- Fill in **ALL** blanks.
- Consult your insurance agent to see if repairs are to be covered by your insurance.

THE CONTRACT SHOULD INCLUDE

- Construction completion date.
- Contractor’s name, address, phone number, and their license or certification number.
- Precise description of work to be completed and materials to be supplied.
- Any financing information that is required bylaw or that is part of the transaction.
- Any warranty agreements.
- Names of those supplying the contractor with labor or materials. Be sure they are insured so that you are protected against theft or damage.
- All necessary building permits or licenses. Make sure job site will be cleaned thoroughly, and that no debris remain after the job is completed.

CANCELLATION OF CONTRACT

- Home repair or improvement contracts eligible for cancellation without penalty or obligation by midnight of the third business day after signing are:
- signed anywhere other than the seller’s normal place of business.
- All door-to-door agreements, except for emergency home repairs.
- Paid on installment basis.

MECHANICS’ LIEN LAW

- A summarization of the Mechanics’ Lien Law, prepared by the Division of Consumer Services and sent to all building officials, must be given to contractors and property owners when building permits are pulled. The “Notice of Commencement” must be

filed by the homeowner with the Clerk of the Circuit Court in the county where the work will be performed.

- The Mechanics’ Lien Law (Ch. 713, Part I, F.S.) provides for a method by which a contractor, subcontractor, laborer, building material supplier, architect, landscape architect, interior designer, engineer, or a land surveyor may claim a lien on real property on which they have done work or to which they have furnished materials. If the lien is not satisfied, your property may be sold to pay the lien sometimes even if you have already paid the bill.

Before any construction begins, and after the construction mortgage has been recorded, the owner should take the following steps:

1. Before applying for a building permit, a “Notice of Commencement” form should be obtained from an office supply store.
2. Complete the “Notice” form with the required information, do retain a certified copy.
3. After the building permit is issued, record the “Notice” with the Clerk of the Circuit Court in the county where the work will be performed. If a performance bond is posted, a copy of the bond must be attached at the time of, or prior to, the recording of the “Notice of Commencement.”
4. Post the certified copy of the “Notice” at the job site. There is no requirement to post a copy of the bond.