

## **Notices of Completion**

### **1. What they are**

“A written notice which the owner or its agent may elect to record at any time after completion of construction . . . for the purpose of shortening the lien period” (§ 33-993(E))

- Purpose: shortens time to record a lien claim (or to serve a stop notice) by 60 days

### **2. Required Contents** - Must contain all of the following, signed and verified by the owner or its agent (A.R.S. § 33-993(E)&(F))[proposed form at 33-993(F)]:

- a. Name and address of the owner;
- b. Nature of the interest or estate of the owner (normally “In Fee”);
- c. Legal description of the job site or street address. (“The validity of the notice is not affected by the fact that the street address cited is erroneous or that such street address is omitted”);
- d. Name of the original contractor, if any;
- e. Names and addresses of any “predecessors in interest” if property ownership was transferred after the beginning of the work or improvement;
- f. Nature of improvements to the property; and,
- g. Date of “completion” as defined by A.R.S. § 33-993(C)

### **3. Recording and Serving the NOC** – To be effective, the NOC must be properly recorded and served as follows:

- a. NOC must be recorded in the Office of the County Recorder in the county where the improved property is situated (§ 33-993(H))
  - Recording can occur “any time after completion” (§ 33-993(E))
- b. Within 15 days of recording the NOC, a copy must be mailed to the original contractor **and** all persons from whom owner has received a prelim. (A.R.S. § 33-993(I))
  - The mailed copy of the NOC must also include “a written statement of the date of recording and the county recorder’s record location information” (§ 33-993(I))
  - If service is made later than 15 days after recording (*i.e.*, mailed on 16<sup>th</sup> day), the NOC is not effective and the time to record a lien remains 120 days from completion (§ 33-993(I))
  - The NOC copy must be mailed by “certified or registered mail” (§ 33-993(I))