

Construction lien eligibility checklist

General information to help you organise your paperwork. Not legal advice.

Prepare facts for a qualified review

This is an intake checklist for investigating a possible construction lien or, where relevant, another local security mechanism. It is not a test that returns eligible or ineligible. A completed checklist is not authorization to register a claim.

Province or territory of the improvement: _____

Project address and legal property description if known: _____

Owner legal name and public or private status: _____

Residential or commercial use: _____

Your role and party that engaged you: _____

Contract date and amendment dates: _____

- ☐ Describe the labour, services or materials actually supplied and how they relate to the identified improvement.
- ☐ Separate invoiced work, unapproved extras, interest and other claimed costs; have claim composition reviewed.
- ☐ Identify the land interest and any special ownership circumstances, including Crown or public property.
- ☐ Collect contract-chain records rather than assuming the direct customer owns the property.
- ☐ Record supply dates, completion certificates, abandonment, termination and notices with their documentary sources.
- ☐ Flag insolvency, existing proceedings and any prior security or settlement documents.

Uncertainty requiring urgent attention

If a relevant event date is disputed or missing, record all plausible dates and the evidence for each. Ask an adviser to resolve the issue promptly. Do not use the latest possible date simply because it offers more time.

Separate eligibility from procedure

Question for reviewer	Answer and source to record
Does this claimant and supply qualify?	[provision, project facts and exclusions]
What property or fund is involved?	[registration route or alternative process]
What starts each applicable time period?	[trigger, evidence and disputed facts]
What preserves the claim?	[official form, filing office and service steps]
What later enforcement is needed?	[separate action, notice and deadline review]
What risks or competing proceedings matter?	[insolvency, releases, wrongful claim or other restrictions]

Reviewer identity and jurisdiction: _____

Review date and documents considered: _____

Confirmed steps and dates supplied by reviewer: _____

Unresolved issue and assigned action: _____

The accompanying Lien Deadline Tracker stores separately confirmed dates. It does not calculate a legal filing period. Quebec, public property and federal projects require their own analysis; an Ontario rule must not be copied to another jurisdiction.

The sources above are research starting points, not an eligibility determination.

Before you act: this document is general information prepared by ArtBuild to help you organise facts and paperwork. It is not legal advice and has not been reviewed by a lawyer for your situation. Rules differ by province and territory and change over time. Check the official source for your project, and for deadlines, liens, court or insolvency steps, speak with a lawyer licensed where the project is located.