MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 768

H.P. 577

House of Representatives, February 4, 1997

An Act to Clarify the Right of a Real Estate Broker to a Lien on Land, Improvements or Structures.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative DEXTER of Kingfield. Cosponsored by Representatives: CAMPBELL of Holden, USHER of Westbrook, VIGUE of Winslow.

Be it enacted by the People of the State of Maine as follows:

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Sec. 1. 10 MRSA §3251, as amended by PL 1993, c. 137, §1, is further amended to read:

§3251. Lien established

Whoever performs labor or furnishes labor or materials, including repair parts of machines used, or performs services as a surveyor, an architect or an engineer, or as a real estate licensee, or as an owner-renter, owner-lessor, or owner-supplier of equipment used in erecting, altering, moving or repairing a house, building or appurtenances, including any public building erected or owned by any city, town, county, school district or other municipal corporation, or in constructing, altering or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such objects are constructed, or in selling or leasing any interest in land, improvements or structures, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest such owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of such land, building, wharf or pier, so contracting, is a minor or married woman, such lien exists and such minority or coverture does not bar a recovery in any proceeding brought to enforce it.

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SUMMARY

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This bill clarifies the right of a real estate broker to a lien on land, improvements or structures to secure payment for services rendered in selling or leasing the land, improvements or structures.