

Index

“1” indicates a page number; all other references are to sections or appendices.

A

Agency, Owners and, 3.2

Any Other Public Board or Body By the Presiding Officer Thereof, Defined, 1.17

B

Bonded Projects. *See* Private bonded projects; Public works projects. *See also* Private projects; Private unbonded projects

Bonds. *See also* Payment bonds; Performance bonds
Improvements and, 1.55
Payout and, 1.72; 1.80
Public works projects and, 1.17; 1.27; 1.81
Purposes, 1.55
Second-tier subcontractors and, 1.70; 1.84

Breach of Contract, 1.54; 1.55

C

Choice of Forum
Contract provision, 3.22

Choice of Law

Contract provision, 3.22

Cities. *See* Owners

Cities of the First Class

Exception from lien provisions, 3.23

Claims for Lien. *See* Lien claims

Complaint. *See* Summons and complaint

Completion of Contract

Defined, 1.74
Source of term, App. III

Condominiums, 3.19

Construction Liens. *See also* specific headings

Characteristics, 1
Checklist, App. III
Defined, 1
Forms, App. II
Master information list, App. I

Construction Projects, Types

1.1; 1.10–17. *See also* Private projects; Public works projects

Contract, Breach of, 1.54; 1.55

Contractors. *See* Prime contractors; Residential contractors; Second-tier subcontractors; Subcontractors

Contracts
Void provisions, 3.22

Counties. *See* Owners

D

Damages, Action to Recover

Prime contractors and, 1.74; 1.82
Private bonded projects and, 1.74
Public works projects and, 1.82
Subcontractors and, 1.74; 1.82
Suppliers and, 1.74; 1.82
Sureties and, 1.74; 1.82

Definitions. *See* Words and phrases

Discharge of Liens. *See* Release of liens

Docketing of Liens, 1

Duty to Defend, 2.11

E

Entitled to Payment, Defined,
1.27

Equity of Redemption

Mortgage liens and, 3.13
Owners and, 1; 3.13

F

First Labor or Materials are Performed or Furnished

Defined, 1.37; 1.59
Notice and, 1.37; 1.59

Foreclosure

Amending lien claims and, 3.1
Joinder of parties and, 3.8
Large projects and, 1.63
Mortgage liens
; 1; 3.6
Prime contractors and, 1.44, 1.48
Statutes of limitations and, 3.4
Subcontractors and, 1.63
Summons and complaint and, 1.48;
1.63; 1.67; 3.4
Suppliers and, 1.63

Four Family Living Units, Computation, 1.13

G

General Undertakings, Examples, 1.37; 1.46; 1.59

Good Faith, Suppliers and, 1.23;
1.27

Government Units. *See* Owners

I

Improvements

Bonds and, 1.55
Condominiums and, 3.19
Defined, 1.13; 1.22
As large projects, 1.14
“Lienability” and, 2.3
New construction as, 1.13
Remodeling as, 1.13

Inventory, 1.24

J

Joinder of Parties

Foreclosure and, 3.8
Lien claims and, 1.80

“Joint Enterprise” Relationship,
1.4

L

Labor

First day furnished, 1.37; 1.59
“Lienability” and, 1.22; 1.25; 1.26;
1.27; 2.2
Private bonded projects and, 1.26
Private unbonded projects and,
1.22; 1.25
Public works projects and, 1.27

Large Projects. *See also* Private
projects

Defined, 1.13
Foreclosure and, 1.63
Improvement as, 1.14
Lien claims filed, 1.52; 1.66; 2.1
Notice and, 1.13; 1.50; 1.51; 1.65;
2.1
Owners and, 2.1
Prime contractors and, 1.49-.53; 2.1
Source of term, App. III
Subcontractors and, 1.64-.67; 2.1
Summons and complaint and, 1.53;
1.67
Suppliers and, 1.64-.67; 2.1

**Last Date of the Performance of
Any Labor or the Furnishing
of Any Materials, Defined**,
1.46

Lessees, as Owners, 3.2

Lien Claimants. *See also* Lien
claims; Material suppliers;
Prime contractors; Second-tier
subcontractors; Subcontractors
Source of term, App. III
Types, 1.1; 1.2-.9

Lien Claims. *See* Lien claimants
Amending, 3.1
Challenges, 1.71; 1.79
Contents, 1.45; 1.46
Filing, 1; 1.1; 1.42-.47; 1.52; 1.62;
1.66; 1.71; 1.72; 1.79; 1.80; 2.1
Foreclosure and, 3.1
Forms, App. II
Joinder of parties and, 1.80; 3.8
Large projects and, 1.52; 1.66; 2.1
Notice and, form for, App. II
Payout and, 1.72; 1.80
Perfecting, 3.3
Prime contractors and, 1.1; 1.42-.
.47; 1.52; 1.70; 1.71; 1.78; 1.79;
2.1
Private bonded projects and, 1.70;
1.71; 1.72; 2.1
Property descriptions and, 3.1
Public works projects and, 1.78;
1.79; 1.80; 2.1
Purposes, 1.44
Security and, 2.4-.10
Small projects and, 1.42-.47; 1.62;
2.1
Subcontractors and, 1.1; 1.62; 1.66;
1.70; 1.71; 1.78; 1.79; 2.1
Suppliers and, 1.1; 1.62; 1.66; 1.70;
1.71; 1.78; 1.79; 2.1

Lien Waiver, Form, App. II

“Lienability”
“Connection” with project, 1.18-.
.27
Examples, 1.23
Exceptions, 1.26

Improvements and, 2.3
Inventory and, 1.24
Labor and, 1.23; 1.25; 1.26; 1.27; 2.2
Materials and, 1.23; 1.24; 1.26; 1.27; 2.2
Owners and, 2.2; 2.3
Perfecting liens and, 1.19
Private bonded projects and, 1.26
Private unbonded projects and, 1.20-25
Public works projects and, 1.27

Liens. *See* Construction liens;
Mortgage liens

Lis Pendens, Discharging, 2.4-2.10

M

Materials

Delivery, 1.23; 1.27
First day furnished, 1.37; 1.59
As inventory, 1.24
“Lienability” and, 1.23; 1.24; 1.26; 1.27; 2.2
Private bonded projects and, 1.26
Private unbonded projects and, 1.23; 1.24
Public works projects and, 1.27

Milwaukee

Lien claims against, 3.23

Mortgage Liens

Condominiums and, 3.19
Equity of redemption and, 3.13
Foreclosure, 1; 3.13
Priority, 3.3
Recording, 3.3

Municipalities. *See* Owners

N

New Construction, as Improvement

Notice

Contents, 1.35; 1.39; 1.60; 1.61; 2.1
First labor or materials are furnished and, 1.37; 1.59
Interpretation, 1.36; 1.41; 1.59
Large projects and, 1.13; 1.50; 1.51; 1.65; 2.1
Lien claims and, form, App. II
Owners and, 1.29; 1.33; 1.34; 1.36; 1.39; 1.40; 1.41; 1.54; 1.58; 1.61; 1.70; 1.72; 1.78; 1.80; 2.1; 3.2

Perfecting liens and, 1; 1.3; 1.29
Prime contractors and, 1.33; 1.37; 1.39; 1.41; 1.51; 1.54; 1.70; 1.71; 1.73; 1.78; 1.79; 1.81; 2.1
Private bonded projects and, 1.54; 1.70; 1.71; 1.72; 1.73; 1.74; 2.1
Public works projects and, 1.78; 1.79; 1.80; 1.81; 2.1
Purposes, 1.34; 1.40; 1.41; 1.70; 1.78
Security and, filing, 2.5; 2.9
60-day requirement, 1.57-60; 1.65; 2.1; App. II
Small projects and, 1.13; 1.32-41; 1.57-61; 2.1
Subcontractors and, 1.37; 1.57-61; 1.65; 1.70; 1.72; 1.73; 1.78; 1.80; 1.81; 2.1
Suppliers and, 1.57-61; 1.65; 1.70; 1.72; 1.78; 1.80; 2.1
Sureties and, 1.73; 1.81; 2.1
10-day requirement, 1.33-37; 1.50; 2.1; App. II
30-day requirement, 1.38-41; 1.51; 1.61; 1.65; 2.1; App. II
Undertaking and, filing, 2.5; 2.7

O

“Optional Bonding” Laws, 1.16

Other Clear Description, Defined, 1.60

Owners

Agency and, 3.2

Breach of contract and, 1.54; 1.55

Defined, 3.2

Equity of redemption and, 1; 3.13

“Joint enterprise” relationship and, 1.3

Large projects and, 2.1

Lessees as, 3.2

“Lienability” and, 2.2; 2.3

Notice and, 1.29; 1.33; 1.34; 1.36;

1.39; 1.40; 1.41; 1.54; 1.58;

1.61; 1.70; 1.72; 1.78; 1.80; 2.1;

3.2

Prime contractors and, 1.4; 1.33;

1.34; 1.36; 1.37; 1.39; 1.41;

1.46; 1.48; 1.54; 1.55; 2.1

Private bonded projects and, 1.54; 1.69; 1.70; 1.72; 1.74; 2.1

Public works projects and, 1.55; 1.77; 1.78; 1.79; 1.80; 1.84; 2.1

Release of liens and, 2.5; 2.6

Small projects and, 1.33; 1.34; 1.36; 1.37; 1.39; 1.40; 1.41; 1.48; 1.58; 1.61; 1.63; 2.1

Source of term, App. III

Subcontractors and, 1.58; 1.61; 1.63; 1.69; 1.70; 1.72; 1.77; 1.78; 1.79; 1.80; 2.1

Suppliers and, 1.58; 1.61; 1.63; 1.69; 1.70; 1.72; 1.72; 1.77; 1.78; 1.79; 1.80; 2.1

P

Parties in Interest, Defined, 1.74; 1.84

“Pay if Paid” Clauses, 3.22

Payment Bonds, 1.16. *See also Bonds*

Payout

Bonds and, 1.72; 1.80

Challenges, 1.72; 1.80

Lien claims, 1.72; 1.80

Perfecting of Construction Liens

Generally, 1; 1.1; 3.3

Construction projects and, types, 1.11

Lien claimants and, types, 1.3

“Lienability” and, 1.19

Notice and, 1; 1.3; 1.29

Prime contractors and, 1.33

Performance Bonds, 1.16. *See also Bonds*

Prime Contractors. *See also Lien claimants*

Breach of contract and, 1.54; 1.55

Characteristics, 1.4; 1.6

Damages and, action to recover, 1.74; 1.83

Defined, 1.4

Foreclosure and, 1.48

“Joint enterprise” relationship and, 1.4

Large projects and, 1.49–.53; 2.1

Lien claims filed, 1.1; 1.42–.47;

1.52; 1.70; 1.71; 1.78; 1.79; 2.1

Notice and, 1.33; 1.37; 1.39; 1.41; 1.51; 1.54; 1.70; 1.71; 1.73;

1.78; 1.79; 1.81; 2.1

Owners and, 1.4; 1.33; 1.34; 1.36; 1.37; 1.39; 1.41; 1.46; 1.48; 1.54; 1.55; 2.1

Perfecting liens and, 1.33

Private bonded projects and, 1.54; 1.70; 1.71; 1.72; 1.73; 1.74; 2.1

Public works projects and, 1.27;

1.54; 1.55, 1.78; 1.79; 1.80;
1.81; 1.83; 1.84; 2.1

Small projects and, 1.30–.48; 2.1

Source of term, App. III

Summons and complaint, 1.48;
1.53

Sureties and, 1.73; 1.74; 1.81; 1.83

“Trust fund” theory and, 3.20

Principal Contractors. *See* Prime contractors

Priority of Liens, 3.4

Private Bonded Projects

Generally, 1.16

Characteristics, 1.69

Damages and, action to recover,
1.74

Labor and, 1.26

Lien claims filed, 1.70; 1.71; 1.72;
2.1

“Lienability” and, 1.26

Materials and, 1.26

Notice and, 1.54; 1.70; 1.71; 1.72;
1.73; 1.74; 2.1

Owners and, 1.54; 1.69; 1.70; 1.72;
1.74; 2.1

Prime contractors and, 1.54; 1.70;
1.71; 1.72; 1.73; 1.74; 2.1

Second-tier subcontractors and,
1.74; 1.75

Statutes of limitations and, 1.71;
1.72; 1.74

Subcontractors and, 1.68–.75; 2.1

Suppliers and, 1.68–.75; 2.1

Sureties and, 1.73; 1.74

Private Large Projects. *See* Large projects

Private Projects. *See also* Large

projects; Small projects; Private bonded projects; Private unbonded projects

Defined, 1.11

Types, 1.1

Private Small Projects. *See* Small projects

Private Unbonded Projects. *See*

also Private bonded projects

Inventory and, 1.24

Labor and, 1.25

“Lienability” and, 1.21–.25

Materials and, 1.23; 1.24

Property Descriptions, 3.1

Property Owners. *See* Owners

Proportional Payout. *See* Payout

Public Agencies, Defined, 1.17

Public Boards, Defined, 1.17

Public Bodies. *See* Owners

Public Bonded Projects. *See*
Public works projects

**Public Contract Funds and Cities
of the First Class**, 3.23

Public Improvements, Defined,
1.17

Public Works, Defined, 1.17

Public Works Projects. *See also*

Private bonded projects;

Construction projects

Bonds and, 1.17; 1.27; 1.81

Damages and, action to recover,
1.82

Lien claims filed, 1.78; 1.79; 1.80;
2.1

“Lienability” and, 1.27

Materials and, 1.27
Notice and, 1.78; 1.79; 1.80; 1.81;
 2.1
Owners and, 1.55; 1.77; 1.78; 1.79;
 1.80; 1.84; 2.1
Prime contractors and, 1.27; 1.54;
 1.55; 1.78; 1.79; 1.80; 1.81;
 1.83; 1.84; 2.1
Second-tier subcontractors and,
 1.84; 1.85
Statutes of limitations and, 1.79;
 1.80; 1.83
Subcontractors and, 1.27; 1.76–85;
 2.1
Suppliers and, 1.27; 1.76–85; 2.1
Sureties and, 1.81; 1.83

R

Redemption. *See* Equity of
redemption

**Regulation of Construction
Contracts**, 3.22

Release of Liens
Filing, 2.7
Owners and, 2.5; 2.6
Security and, 2.4–10
Sureties and, 2.5; 2.7
Undertaking and, 2.4–10

Remodeling, as Improvements,
1.12

Repairs, 1.12

Residential contractors

Notice requirements, 3.25; 3.26
Procedural overview, App. IV
Right to cure, generally, 3.24

S

Second-Tier Subcontractors. *See*
 also Lien claimants
Bonds and, 1.70; 1.84
Private bonded projects and, 1.74;
 1.75
Public works projects and, 1.84;
 1.85

Security
Filing, 2.5; 2.6; 2.7; 2.9
Lien claims and, 2.4–10
Notice and, 2.5; 2.9
Release of liens and, 2.4–10
Returning, 2.10

Slander of Title, 2.11

Small Projects. *See also* Private
 projects
Defined, 1.15
Lien claims filed, 1.42–47; 1.62;
 2.1
Notice and, 1.13; 1.32–41; 1.57–
 .61; 2.1
Owners and, 1.33; 1.34; 1.36; 1.37;
 1.38; 1.40; 1.41; 1.48; 1.58;
 1.61; 1.63; 2.1
Prime contractors and, 1.30–48;
 2.1
Source of term, App. III
Subcontractors and, 1.57–63; 2.1
Summons and complaint and, 1.48;
 1.63
Suppliers and, 1.57–63; 2.1

State. *See* Owners

Statutes of Limitations

Foreclosure and, 3.4
Private bonded projects and, 1.71;
 1.72; 1.74
Public works projects and, 1.79;
 1.80; 1.83

Subcontractors and, 1.71; 1.72; 1.74; 1.79; 1.80; 1.83
Suppliers and, 1.71; 1.72; 1.74; 1.79; 1.80; 1.83
Sureties and, 1.74; 1.83

Subcontractors. *See also* Lien claimants
Characteristics, 1.7
Damages and, action to recover, 1.74; 1.83
Defined, 1.6; 1.7
Foreclosure, 1.63; 1.67
Large projects and, 1.65–67; 2.1
Lien claims filed, 1.1; 1.62; 1.66; 1.70; 1.71; 1.78; 1.79; 2.1
Notice and, 1.37; 1.57–61; 1.65; 1.70; 1.72; 1.73; 1.78; 1.80; 1.81; 2.1
Owners and, 1.58; 1.61; 1.63; 1.69; 1.70; 1.72; 1.77; 1.78; 1.79; 1.80; 2.1
Perfecting liens and, 1.58
Private bonded projects and, 1.68–75; 2.1
Public works projects and, 1.27; 1.76–85; 2.1
Small projects and, 1.57–63; 2.1
Source of term, App. III
Statutes of limitations and, 1.71; 1.72; 1.74; 1.79; 1.80; 1.83
Summons and complaint and, 1.63; 1.67
Sureties and, 1.73; 1.74; 1.81; 1.83; 2.1
“Trust fund” theory and, 3.20

Subcontractors of
Subcontractors. *See* Second-tier subcontractors

Sufficient, Defined, 2.7

Summons and Complaint
Foreclosure and, 1.48; 1.63; 1.67; 3.4

Large projects and, 1.53; 1.67
Prime contractors and, 1.48; 1.53
Small projects and, 1.48; 1.63
Subcontractors and, 1.63; 1.67
Suppliers and, 1.63; 1.67

Suppliers. *See also* Lien claimants
Damages and, action to recover, 1.74; 1.82
Defined, 1.6; 1.9
Foreclosure and, 1.63; 1.67
Good faith and, 1.23; 1.27
Large projects and, 1.65–67; 2.1
Lien claims filed, 1.1; 1.62; 1.66; 1.70; 1.71; 1.778; 1.79; 2.1
Notice and, 1.57–61; 1.65; 1.70; 1.72; 1.78; 1.80; 2.1
Owners and, 1.58; 1.61; 1.63; 1.69; 1.70; 1.71; 1.72; 1.77; 1.78; 1.79; 1.80; 2.1
Private bonded projects and, 1.68–75; 2.1
Public works projects and, 1.27; 1.78–85; 2.1
Small projects and, 1.57–63; 2.1
Statutes of limitations and, 1.71; 1.72; 1.74; 1.79; 1.80; 1.83
Summons and complaint and, 1.63; 1.67
Sureties and, 1.73; 1.81

Sureties
Damages and, action to recover, 1.74; 1.83
Notice and, 1.73; 1.81; 2.1
Prime contractors and, 1.73; 1.74; 1.81; 1.83
Private bonded projects and, 1.73; 1.74
Public works projects and, 1.81; 1.83
Release of liens and, 2.5; 2.6
Statutes of limitations and, 1.74; 1.83
Subcontractors and, 1.73; 1.74; 1.81; 1.83; 2.1

Sufficiency, 2.7; 2.9
Suppliers and, 1.73; 1.81
Undertaking and, 2.5; 2.7; 2.9

W

Waiver of Lien, 3.22

Waiver of Lien, Form, App. II

T

Tenants, as Owners, 3.2

Towns. *See* Owners

“Trust Fund” Theory, 3.20

U

Undertaking

Effects, 2.8
Exceptions, 2.9
Filing, 2.5; 2.7; 2.8; 2.9
Notice and, 2.5; 2.9
Release of liens and, 2.4–10
Returning, 2.10
Sureties and, 2.5; 2.7; 2.9

Units of Government, Defined,
1.17

Usable Floor Space, Defined, 1.13

V

Villages. *See* Owners

**Visible Commencement of
Construction, Source of Term**,
App. III

Void Provisions, 3.22

Words and Phrases

Any other public board or body by
the presiding officer thereof, 1.2
Completion of the contract, 1.74
Construction liens, 1
Entitled to payment, 1.27
First labor or materials are
furnished, 1.37; 1.59
Improvements 1.13; 1.22
Large projects, 1.13
Last date of the performance of any
labor or the furnishing of any
materials; 1.46
Net area, 1.13
Other clear description, 1.60
Owners, 3.2
Parties in interest, 1.74; 1.84
Prime contractors, 1.4
Private bonded projects, 1.16
Private projects, 1.11
Public agencies, 1.17
Public boards, 1.17
Public improvements, 1.17
Public works, 1.17
Small projects, 1.15
Subcontractors, 1.6; 1.7
Sufficient, 2.7
Suppliers, 1.8; 1.13
Units of government, 1.17
Usable floor space, 1.13
Work under the contract, 1.84

Work. *See* Labor

**Work Under the Contract,
Defined**, 1.84

