



**HOME BUILDERS & REMODELERS ASSOCIATION  
OF CONNECTICUT, INC.**

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*Your Home  
Is Our  
Business*

February 19, 2015

To: Senator Carlo Leone, Co-Chairman  
Representative Mathew Lesser, Co-Chairman  
Members of the Banking Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **HB 5117, AAC the Time Period for the Filing of Mechanic's Liens**

The HBRA of Connecticut is a professional trade association with about eight hundred (800) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. We build between 70% to 80% of all new homes and apartments in the state each year and engage in countless home remodeling projects.

**The HBRA of CT has concerns about HB 5117 and would be interested in learning why 90 calendar days is not sufficient time for potential mechanics lienors to secure their rights to payment for their services.**

HB 5117 changes the timeframe from 90 calendar days to 90 business days after providing services or supplies in which a contractor or supplier has to file with a town clerk a certificate of lien (mechanic's lien) to secure payment for such services or supplies. First, we believe that 90 calendar days should be sufficient time for anyone to secure their lien rights by filing a certificate with the town clerk.

Second, while 90 calendar days is a certain number that is easily counted, HB 5117 interjects a level of uncertainty of how to count business days when there are intervening holidays. Further, which holidays are counted (i.e., state government was off on Feb 12 for Lincoln's Birthday but everyone else was working). There would also be a fluctuating number of weekend days to not count depending on what day of the week services were last provided and what day of the week the town clerk is open for business (not all town clerks are open 5 days per week). In addition, most contractors work six to seven days a week, so all days to them are business days.

"Business days" and what days are not to be counted need to be clearly defined so as to not adversely impact the legal rights of both lienors and the property owners against which liens are filed. **Therefore, we urge caution on HB 5117 and clarity as to why extending the timeframe to file a mechanic's lien is necessary.** Thank you for considering our views on this legislation.