

The Basic Types of Liens & Judgments



Types of Judgments

Money judgments, spousal and/or child support judgments.

- A. A money judgment has a duration of 10 years from the date the judgment is filed.
- B. A spousal/child support judgment duration will extend over the 10 years. Spousal support judgments will be considered until released; child support liens will be considered up to 5 years after the child reaches the age of majority.
- C. A money judgment can be extended for an additional 10 years when a renewal of judgment is recorded within 10 years of the original date of entry of the judgment.
- D. The only judgment that has a duration of 20 years is one in favor of the United States of America, a Federal Corporation.
- E. Escrow orders demands and full or partial satisfactions from the judgment creditor. The Title company pays demands at close of escrow.

Types of Liens

Federal tax liens, State Tax liens, EDD liens and County Tax liens.

- A. All the above mentioned liens have a duration of 10 years from the date recorded unless they are released.
- B. The lien can be continued for successive periods, and its original priority maintained, by recording a re-filing notice before the original lien expires.
- C. Like judgments, these liens are blanket liens and attach themselves to ALL property belonging to the delinquent taxpayer.
- D. Escrow orders demands, title company pays, lienholder records release.
- E. Escrow must have an IRS Power of Attorney form to obtain a demand.
- F. Title will not close without a demand on Federal and State tax liens.

Types of Liens That Attach to a Specific Property

Mechanic's liens, Notice of Action (Lis Pendens), Homeowner Association liens, and Substandard/Abatement liens.

- A. Mechanic's liens are created when a contractor/subcontractor who has done work on a specific property was not paid when the work was completed. The duration of a Mechanic's lien is 90 days from the date recorded. The contractor can foreclose on the property that they recorded the Mechanic's lien on, but must commence the action within the 90 days.
- B. A Lis Pendens is a notice that a court action affecting the property has been filed. This document is also used to foreclose on a property under a Mechanic's lien. This item has an unlimited duration and must be released or withdrawn.
- C. Homeowners liens are recorded when a person is delinquent on their association dues. No fixed duration. Escrow must get demand.
- D. Substandard liens are recorded by the City or County. They can be for weed abatement, hazardous, substances or substandard dwellings. They have no fixed duration. Escrow must order a demand to see if money is owed.