

# NOTICE OF COMMENCEMENT

PERMIT NO. \_\_\_\_\_

PARCEL ID NO. \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF DUVAL

Space above reserved for use of recording office

THE UNDERSIGNED hereby give notice that improvements will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Legal description of property and street address: \_\_\_\_\_  
\_\_\_\_\_
2. Description of improvements: \_\_\_\_\_  
\_\_\_\_\_
3. Owner name and address: \_\_\_\_\_
  - a) Interest in property: \_\_\_\_\_
  - b) Fee simple titleholder name and address: \_\_\_\_\_
4. Contractor name, address and phone number: \_\_\_\_\_  
\_\_\_\_\_
5. Surety Bond
  - a) Name, address and phone number: \_\_\_\_\_
  - b) Amount of bond \$ \_\_\_\_\_
6. Lender's name and address: \_\_\_\_\_
7. Name, address and phone number of Persons within the State of Florida whom notices or other documents may be served as provided by F.S. §713.13(1)(a)7: \_\_\_\_\_  
\_\_\_\_\_
8. Name, address and phone number of Persons designated by the Owner to receive a copy of the Lienor's Notice as provided in F.S. §713.13 (1)(b): \_\_\_\_\_  
\_\_\_\_\_
9. This Notice shall expire within 1 year of the recorded date unless a different date is specified: \_\_\_\_\_

**WARNING TO OWNER:** ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER [FLORIDA STATUTES, CHAPTER 713](#) AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

Under penalties of perjury, pursuant to F.S. § 92.525, I declare that I have read the foregoing and that the facts stated therein are true to the best of my knowledge and belief.

\_\_\_\_\_  
Signature(s) of Owner(s) or Authorized Officer/Director/Partner/Manager

\_\_\_\_\_  
Print Name and Authority Type (Officer, Attorney in Fact, etc.)

## STATE OF FLORIDA, COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, [ ] individually or [ ] as \_\_\_\_\_, for \_\_\_\_\_ who [ ] is personally known to me or [ ] produced \_\_\_\_\_ as identification.

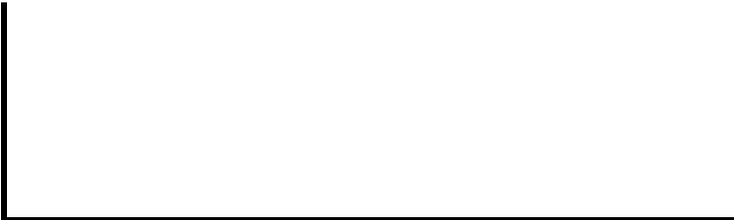
\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE – STATE OF FLORIDA  
COMMISSIONED NOTARY NAME \_\_\_\_\_

This instrument prepared by:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**NOTICE OF TERMINATION  
(OF NOTICE OF COMMENCEMENT)**



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STATE OF FLORIDA  
COUNTY OF DUVAL

THE UNDERSIGNED hereby give notice that the effective period of the Notice of Commencement recorded on April 27, 2021  
in Official Records Book \_\_\_\_\_ Page \_\_\_\_\_ of the Public Records of Duval County, Florida, will terminate.  
In accordance with Florida Statutes §713.132, the following information is provided:

1. The date and recording information for the Notice of Commencement being terminated are as described above, and all information contained therein is hereby expressly incorporated into this NOTICE OF TERMINATION.
2. The Notice of Commencement shall be terminated as of \_\_\_\_\_, or 30 days from the recording date of this Notice of Termination, whichever date is later.
3. This Notice of Termination applies to:
  - all the real property subject to the above described Notice of Commencement.
  - only to the portion of such real property described as:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. All lienors have been paid in full or prorated in accordance with F.S. §713.06(4).
5. A copy of this notice has been served on the contractor and on each lienor who has given notice, if any.

\_\_\_\_\_  
Signature(s) of Owner(s) or Authorized Officer/Director/Partner/Manager

\_\_\_\_\_  
Print Name and Authority Type (Officer, Attorney in Fact, etc.)

**STATE OF FLORIDA, COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, [X] individually or [ ] as \_\_\_\_\_, for \_\_\_\_\_ who [X] is personally known to me or [ ] produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE – STATE OF FLORIDA  
COMMISSIONED NOTARY NAME

- Exhibit(s) Attached:**
- [ ] Contractor's Final Payment Affidavit
  - [ ] Property Legal Description
  - [X] Copy of Recorded Notice of Commencement

# CONTRACTOR'S FINAL PAYMENT AFFIDAVIT

This instrument prepared by:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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STATE OF FLORIDA  
COUNTY OF DUVAL

Before me, the undersigned authority who, after being first duly sworn, deposes and says of his or her personal knowledge the following:

1. He or she is the \_\_\_\_\_ of \_\_\_\_\_, which does business in the State of Florida, hereinafter referred to as the "Contractor."
2. Contractor, pursuant to a contract with \_\_\_\_\_, hereinafter referred to as the "Owner" has furnished or caused to be furnished labor, materials, and services for the construction of certain improvements to real property as more particularly set forth in said contract.
3. This affidavit is executed by the Contractor in accordance with Florida Statutes § 713.06 for the purposes of obtaining final payment from the Owner in the amount of \$\_\_\_\_\_.
4. All work to be performed under the contract has been fully completed, and all lienors under the direct contract have been paid in full, except the following listed lienors, if any:

LIENOR NAME	AMOUNT DUE
_____	_____
_____	_____
_____	_____
_____	_____

Signed, sealed, and delivered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

By \_\_\_\_\_,

As \_\_\_\_\_,

For \_\_\_\_\_

## STATE OF FLORIDA, COUNTY OF DUVAL

Sworn to and subscribed before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who [ ] is personally known to me or [ ] produced \_\_\_\_\_ as identification, and did take an oath.

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE – STATE OF FLORIDA  
COMMISSIONED NOTARY NAME \_\_\_\_\_

# Florida's Construction Lien Law

## Protect Yourself and Your Investment

According to Florida law, those who work on your property or provide materials, and are not paid-in-full, have a right to enforce their claim for payment against your property. This claim is known as a construction lien. **This means that if a lien is filed against your property, your property could be sold against your will to pay for labor, materials, or other services which your contractor may have failed to pay.**

This document provides information regarding Florida Statute 713, Part 1, as it pertains to new construction, alterations, and remodeling, and provides tips on how you can avoid construction liens on your property.

### PROTECTING YOURSELF

If you hire a contractor and the improvements cost \$2500 or more you should know the following:

- You may be held liable if you pay a contractor in full and he then fails to pay his suppliers or subcontractors. A *Release of Lien* is a written statement that removes your property from the threat of lien. Before you make any payment, be sure you receive this waiver from suppliers and subcontractors covering the materials used and work performed on your property. If your contract calls for partial payments before the work is completed, obtain a *Partial Release of Lien* covering all workers and materials used to that point.
- Request a list of all subcontractors and suppliers who have contracted with your contractor to provide services or materials to your property from via certified or registered mail.
- Always record a Notice of Commencement before beginning a construction project and a Notice of Termination (of Notice of Commencement) after the project is completed or upon termination of construction contracts.
- Before you make the final payment to your contractor, obtain a *Contractor's Final Payment Affidavit* that specifies all unpaid parties who performed labor, services or provided services or materials to your property. Make sure your contractor provides you with final releases from these parties before you make the final payment.

### FILE A NOTICE OF COMMENCEMENT

A Notice of Commencement notes the intent to begin improvements, the location of the property, description of the work and the amount of bond (if any). The Notice also identifies the property owner, contractor, surety, lender and other pertinent information. Failure to record a Notice of Commencement or to provide accurate information within the form could contribute to your having to pay twice for the same work or materials.

Legal documents should be recorded with the Duval County Clerk of the Circuit Court by mail, [online](#) and/or in-person. For additional information about recording procedures or if you have questions please call (904)255-2000.

### POST A CERTIFIED NOTICE OF COMMENCEMENT ON THE JOB-SITE

A *certified* copy of the Notice of Commencement should be filed with the Jacksonville Beach Building Division prior to scheduling the first inspection and must be posted on the job-site. Alternatively, you can supply a notarized statement that the Notice has been filed along with a copy attached.

### NOTICE TO OWNER FROM SUBCONTRACTORS AND/OR SUPPLIERS

Prior to filing a lien, a lienor who does **not** have a direct contract with the owner, must serve the owner with a Notice to Owner. The Notice to Owner must state the lienor's name and address, and a description of the real property and the nature of the services or materials being furnished. The Notice to Owner must be served before commencing, or within 45 days of commencing, to furnish the services or materials (but before owner's final payment to the contractor). A lien cannot be enforced unless the lienor has served the Notice to Owner as described above.

### WHO CAN CLAIM A LIEN ON MY PROPERTY?

Contractors, laborers, materials suppliers, subcontractors and professionals such as architects, landscape architects, interior designers, engineers or land surveyors all have the right to file a claim of lien for work or materials. **Always require a release of lien from anyone who does work on your home.**

### WHO IS RESPONSIBLE TO GET RELEASES OF LIEN?

You can stipulate in the agreement with your contractor that he must provide all releases of lien. If it is not a part of the contract, however, or you act as your own contractor, YOU must get the releases.

If you borrow money to pay for the improvements and the lender pays the contractor(s) directly without obtaining releases, the lending institution may be responsible to you for any loss.

### WHAT CAN HAPPEN IF I DO NOT GET RELEASES OF LIEN OR RECORD A NOTICE OF TERMINATION?

You may not be able to sell your property unless all outstanding liens are paid and/or active Notices of Commencement are *terminated*. Sometimes a landowner can even be forced to sell his property to satisfy a lien.

### CONTESTING A LIEN

A lien is valid for one year, unless a lienor files a lawsuit to enforce the lien prior to the expiration of the year. An owner has a right to file a Notice of Contest of Lien during the one-year period. Upon the filing of a Notice of Contest of Lien, a lienor must file a lawsuit to enforce the lien within 60 days. Failure of the lienor to timely file a lawsuit renders the lien invalid.

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**THE CONSTRUCTION LIEN LAW IS COMPLEX AND CANNOT BE COVERED COMPLETELY IN THIS DOCUMENT. THE DBPR RECOMMENDS THAT WHENEVER A SPECIFIC PROBLEM ARISES, YOU CONSULT AN ATTORNEY, YOUR LENDER OR THE FLORIDA DEPARTMENT OF AGRICULTURAL AND CONSUMER SERVICES.**

You can register complaints and verify licenses [online](#) 24 hours a day, 7 days a week or by calling the Customer Contact Center at (850)487-1395. You may also contact the Better Business Bureau.

This document was adapted by information published by the Florida Division of Business and Professional Regulations.

