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How to Complete a Pennsylvania Lien Waiver

Waiver and Release of Mechanics' Lien Upon Payment • 49 P.S. § 1101 et seq.

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. Contractors, subcontractors and suppliers sign lien waivers when they are paid, so the owner or lender knows no mechanics' lien will be filed for that work. This form can be used for a partial (progress) payment or the final payment.

1. **Identify the parties and property**
   Use the owner's name and the property address and parcel number.
2. **Choose partial or final**
   A partial waiver covers work only through a stated date and payment amount.
3. **Enter the payment**
   The waiver takes effect only when payment is actually received and any check clears.
4. **List any exceptions**
   Disputed claims, extras or retainage you are not waiving.
5. **Sign under oath before a notary**
   Owners and lenders often require a notarized waiver before releasing funds.

Signing requirements: Signed by the claimant (or an authorized officer) under oath or affirmation before a notary (jurat).

After It's Signed

- Exchange the signed waiver for payment. Keep a copy with your invoices.

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Have questions about your Lien Waiver? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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WAIVER AND RELEASE OF MECHANICS' LIEN UPON PAYMENT

Commonwealth of Pennsylvania • Mechanics' Lien Law of 1963, 49 P.S. § 1101 et seq.

1. PARTIES AND PROJECT

Contractor / subcontractor / supplier giving this waiver

Customer (party who hired the claimant)

Property owner

Project / property address

County

UPI / tax parcel no.

2. TYPE OF WAIVER (check one)

☐ **Partial waiver upon payment.** Applies only to labor, services and materials furnished through the date below, and only for the payment amount stated. All rights for later work, retainage and unpaid amounts are reserved.

Work furnished through (date)

☐ **Final waiver upon payment.** Applies to all labor, services and materials furnished for the project.

3. PAYMENT

Payment amount ($)

Check no. / method

Date received

This waiver and release is **conditioned on actual receipt** of the payment stated above. If payment is by check, it is effective only when the check has been honored by the bank on which it is drawn.

4. WAIVER AND RELEASE

Upon receipt of the payment stated above, the claimant waives and releases, to the extent of the payment and for the work described in Section 2, any right to file or maintain a mechanics' lien claim against the property and improvements described above under the Mechanics' Lien Law of 1963, as amended. The claimant certifies that all subcontractors, laborers and suppliers engaged by the claimant for the work covered by this waiver have been paid, or will be paid from this payment, except:

Exceptions to this waiver (disputed claims, extras, or retainage not included):

The undersigned is authorized to sign on behalf of the claimant, and the statements in this waiver are true and correct, subject to the penalties of 18 Pa.C.S. § 4904.

X _____

Authorized signature

Date

Printed name

Title

Phone

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JURAT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

Signed and sworn to (or affirmed) before me on _____ (date) by _____ (name(s) of individual(s) making statement).

X _____
Signature of notarial officer

_____
Title of office (e.g., Notary Public)

_____ _____
My commission expires Commission number

(Notary seal)

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