

Mechanics' & Materialmen's Liens Research Guide

Overview

This research guide contains information and resources for Mechanics' and Materialmen's Liens in Texas. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes & Codes

Texas Statutes <https://statutes.capitol.texas.gov/>

Texas Constitution

- Art. XVI Sec. 37 Liens of Mechanics, Artisans, and Material Men
<https://statutes.capitol.texas.gov/Docs/CN/htm/CN.16/CN.16.37.htm>

Texas Property Code

- Ch. 53 Mechanic's, Contractor's, and Materialman's Lien
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.53.htm>

Secondary Resources in Print

The Complete Guide to Mechanic's & Materialman's Lien Laws of Texas KFT 1355.5.S74

Texas Transaction Guide KFT 1268.K45

- Vol. 20, Ch. 84 Mechanics' and Materialmen's Liens

Texas Litigation Guide KFT 1730.T4

- Vol. 18, Ch. 271 Mechanic's and Materialmen's Liens

Texas Forms - Real Estate KFT 1326.A65.0266

- Ch. 5 Mechanic's Liens

Texas Real Estate Forms Manual KFT 1326.T4

- Vol. 3, Ch. 20 Contractual Mechanic's Lien Documents
- Vol. 3, Ch. 21 Involuntary Mechanic's Lien Documents

Texas Collections Manual KFT 1367.C6 T49

- Ch. 7 Creation and Enforcement of Liens

Texas Practice Guide: Real Estate Transactions KFT 1326.R4J6

- Vol. 2, Ch. 11 Priorities; Ch. 13 Homesteads
- Vol. 3, Ch. 17 Rights in Property
- Vol. 4, Ch. 27 Construction Contracts § 27:11

CLE Materials

Advanced Real Estate Law Course KFT 1312 A75

- 2018 Ch. 23 Successful Construction of the Death Star: How Financing Affecting M&M Liens
- 2004 Ch. 26 Statutory Mechanic's Liens in Texas and Related Construction Site Payment Issues Trust Fund Statute, Prompt Pay Act "Removables"
- 2004 Ch. 27 Mechanic's Liens: Beat 'Em, Bust 'Em
- 2000 Ch. 12 Involuntary Mechanic's Liens in Texas - Legislative Update, Nuances and Practical Aspects of Uses and Defenses

Collections and Creditors Rights KFT 1367.C6S7

- 2022 Ch. 3 "Chapter 7 - Creation and Enforcement of Liens"
- 2019 Ch. 4 Bankruptcy Strategies for Collection Lawyers

Real Estate Law 101 KFT 1312.A75 R22

- 2021 Ch. 1 Tips, Traps, and Trends Concerning Mechanics' and Materialmans' Liens in Texas

Online Resources

An Introduction to Mechanic's Liens

https://www.texasbar.com/AM/Template.cfm?Section=Free_Legal_Information2&Template=/CM/ContentDisplay.cfm&ContentID=28101

How to File a Mechanics Lien

<https://mechanicslien.com/how-to-file-a-mechanics-lien-in-texas/>

Mechanic's Liens for Homeowners in Texas (NOLO)

<https://www.nolo.com/legal-encyclopedia/mechanics-liens-in-texas-for-homeowners.html>

Texas Lien Laws – Changes Effective 1/1/2022

<https://www.bicanet.com/whats-new/texas-lien-laws-changes-effective-1-1-2022/>

Consumer Law Handbook PDF

<https://texaslawhelp.org/sites/default/files/2022-09/2019-20-consumer-law-handbook.pdf>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)