

How to File a Lien

When a homeowner fails to pay their required association assessment, it may be appropriate to file a lien against the property. A lien is a legal document that becomes a monetary encumbrance on the property deed and is required to be paid as part of the closing when the property is sold. The subdivision trust indenture will typically give the subdivision association the power to file a lien for just cause after a certain period of delinquency.

The assistance of an attorney is generally necessary when drafting a lien, especially if the subdivision association has not yet filed other liens that could be used as templates. The lien will describe the nature of the encumbrance and identify the property by deed book and page, locator number, and address. Once the lien document is prepared and signed by the Board of Trustees or the professional property management company, it is recorded with the St. Louis County Recorder of Deeds.

The cost for filing a lien, above and beyond the attorney fee, is \$24.00 for the first page and \$3.00 for each additional page. Once a property has a lien placed on it, the property cannot be sold until the lien is cleared. Typically, to clear a lien, all back assessments and interest must be paid by the homeowner.