

**INDIANA LIEN LIFE CHART**

**NOTE: Judgment Liens attach when GRANTED by the Court; it is NOT required to record the judgment with the Recorder's office in order to attach to real estate**

NATURE OF LIEN	CITATION	WHEN LIEN ATTACHES	PLACE OF NOTICE	DURATION	TYPE
Architect Lien	32-28-11-1 et seq.	Upon recording	County Recorder	1 year from recording	Real
Attorney's Lien	33-43-4-1 et seq.	Entry on judgment docket	Judgment docket for proceeding	Must be filed 60 days from entry of final judgment  No duration specified	Lien on Judgment
Assessments for Public Improvements	36-9-17-7	Upon letting of contract	Tax Duplicate	5 years of contract date	Real
Bail/ Recognizance (Failure to Appear) Bond	35-33-8.5-9 (Criminal)	Entry in the judgment docket	Judgment Docket in County of action or the judgment docket of County of location of Real Estate	Until court releases upon final determination of cause and compliance with court order to appear	Real
Barrett Law Assessments for public improvements	36-9-36-40,43	When assessments are certified to disbursing officer (County or City Treasurer) for collection	Tax Duplicate	5 years or 15 years if paid in installments (32-28-8-1)	Real

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Broker Liens	See Commercial Broker Lien				
Common Law Liens	32-28-13-1 et seq.	Upon recording and within 60 days of last service provided	County Recorder	6 months from recording	Real
Commercial Broker's Lien	32-28-12.5-6	Upon recording of notice of intent when fees & commissions are due; prior to or 90 days after the deed recording	County Recorder	1 year; If installments payable more than 1 year, 1 year from date last payment	Real: Commercial (defined as non-1-4 family or zoned residential property)
Condominium Association Lien- unpaid assessments	32-25-6-3	Upon assessment	N/A	1 year if recorded and notice to foreclose issued by homeowner and no action initiated	Real; has priority except for taxes and unpaid balance on first mortgage; upon foreclose mortgagee is not responsible for past sums
Conservancy District- Special Assessment	14-33-9, 10	Upon assessment	Tax duplicates	Until assessment is paid	Real
Ditch Assessment Liens	36-9-27-89	Date of certification of the final assessment to auditor	Tax Duplicate	When paid in full or last day of fifth year after last payment becomes due	Real

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Divorce 1. "Equalization Payment" or "Equalization Judgment"  (Case No. will include "DR, DN, or DC" )  2. Child Support	See Judgments, generally	Upon approval of Decree and Settlement Agreement or Judgment Docket  NOTE: some Courts are not entering in the docket  Does not attach unless reduced to a separate judgment; usually only upon severe delinquency	Circuit / Superior Court; Co. Judgment Docket  Judgment Docket	10 years after judgment entered	Real; personal (NOTE: Treat all "equalization" payments as a judgment)
Employees of Corporation, Lien for Wages, Real Estate Commission	32-28-12-2	Upon recording on notice of intent	Recorder of county where corp. is located or doing business	6 months from recording	Real, Personal
Employees of Strip Mine, Lien for labor	See Strip Mine				
Engineers, Lien for Services	32-28-11-1	Upon recording on notice of intent within 60 days of when work performed	County Recorder	1 year from recording	Real
Estate Tax Lien: Federal	26 USCA 6324(a), 6324(b)  <a href="#">VU 5.20 Estate Taxes</a>	Date of death	See Federal Tax Lien	10 years (general) or 10 or 15 (special) from date of death	Real; Personal

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Estate Tax Lien: Indiana	See Inheritance Tax below				
Federal Judgment	28 USC 3201 28 USCA 1962	Date of recording	Recorder of county where property located	20 years from date of judgment; may be extended for additional 20 years upon satisfaction of certain conditions	Federal Judgment
Federal Mortgage: SBA/ FHA/ VA / Other 1. General 2. Foreclosure  3. Redemption: Liens NOT arising under the Internal Revenue laws	<a href="#">Bulletin SLS2016002 2.4.16</a>  28 USCA 2410(c)	Upon recording  Mortgage recording FHFA as Conservator for Fannie Mae and Freddie Mac / FDIC	County Recorder	Generally shown on lien / mortgage  Consents Required for Foreclosure – see Bulletin  1 year	Real; personal  Cannot be eliminated by “strict foreclosure”

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Federal Tax Lien: 1. General  2. Purchase Money Mortgage  3. Redemption: Liens arising under the Internal Revenue laws	26 USCA 6321  <a href="#">VU 6.08 Federal Tax Liens</a>  IRS Ruling 6857  28 USCA 2410(c)	At time of assessment under federal law	Recorder of county where property located	10 years plus 30 days from assessment date; may be refiled for additional 10 years plus 30 days; also be aware of "hidden" extensions          120 days after sheriff sale	Real: Attaches regardless of vesting interest  (TBE/TIC/ JTWROS/ IND / LE/ Business entities)          Recognizes tax lien inferior to PMM
Fixture Filing	See UCC Fixture Filing				
Forestry Land Assessments (State)	6-1.1-6-24	Upon withdrawal from classification as native forest land, forest plantation or wild lands	Tax duplicate	10 years	Real
Gift Tax Lien	26 USCA 6324(b)	When gift is made	See Federal Tax Lien	10 years from date gift is made	Real; Personal

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Hazardous Substance Response Lien	13-25-4-11,12	Upon recording of notice of lien	County Recorder	10 years; or action to foreclose is pending	Real
Highway Encroachment Removal, Failure of Owner to Pay Costs	8-23-5-1	Entry on Judgment Docket	Judgment Docket, Circuit Court	10 years after judgment entered	Real
Homeowner Association Lien - Assessments (HOA)	32-28-14-5 to 32-28-14-9	Upon recording notice of lien	County Recorder	5 years; 1 year if notice to foreclose issued by homeowner and no action initiated	Real; upon foreclosure mortgagee is not responsible for past sums
Hospital Liens	32-33-4-3	Upon recording	County Recorder in county where hospital located within 90 days of discharge	Until satisfied and released	Does not attach to real estate; attaches to any judgment for recovery for personal injury by person
Inheritance Tax (Indiana)	Repealed for deaths occurring on or after January 1, 2013 Prior law 6-4.1-8-1 applies to deaths prior to January 1, 2013	Date of Death	None	10 years after date of death (for deaths prior to January 1, 2013)	Real; personal
Judgment Liens: Federal	See Federal Judgments				Real; personal

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Judgment Liens: Indiana Circuit / Superior Courts 1.General	34-55-9-2  34-11-2-12	Entry on Judgment Docket	Judgment Docket-courts of original jurisdiction	10 years after judgment entered for lien attachment; 20 years total	Real; personal
2. Lien Extension / Renewal	Case law	Entry on Judgment Docket		New Court Order creates new lien; does not relate back to original Order date	Real; personal
3. Foreign (Case No. will include "CB")	34-55-11-1	Judgment from different county / state filed with County Court		10 years after original judgment entered in foreign Court	Real; personal
Judgment Liens: Indiana City Courts	33-35-5-8	Upon recording with Clerk of Circuit Court	Clerk of circuit court	10 years after judgment entered in Circuit Court	Real; personal
Landlord's Crop Lien	32-31-1-19	Upon recording of a financing statement at least 30 days before crops mature	County Recorder	Until satisfied and released	Crops
Lis Pendens	32-30-11	Upon filing notice with the Court	Circuit Court Lis Pendens Record	Until primary case is decided; or release of the LP Notice	Real

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Mechanics' Liens, Real Property  1. Residential  2. Commercial	32-28-3-1 et seq.	Upon recording within: 60 days  90 days  after work completed for commercial property  Relates back to start of work or time materials provided	County Recorder	1 year after lien recorded if no foreclosure action filed	Real  1. Pre-lien notice required for single and double family dwellings
Medicaid Lien	See Old Age Assistance Lien				
Mortgages and Vendor's Lien  1. Mortgage on or after July 1-2012  2. Mortgage prior to July 1, 2012	32-28-4-1 et seq.  <a href="#">Bulletin IN2013002</a>	Upon recording	County Recorder	10 years from maturity date. If no maturity date, 10 years from date of execution. If no date of execution, 10 years from date of recording.  Expires 10 years from maturity date. If no maturity date, expires 20 years from date of execution. If no date of execution, expires 20 years from date of recording.	Real



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Municipal Ordinance Violation Lien	36-1-6-2	Upon recording of notice of lien; and on tax duplicate	Recorder or Treasurer	Until satisfied if recorded; 10 years from date taxes become due on tax duplicate	Real; superior to all other liens except taxes subject to monetary limits
Old Age, Blind, Disabled Assistance Lien	12-14-16-1, 2, 3	Upon recording of a Certificate	County Recorder	Until Satisfied; foreclosure of aged' s residence prohibited if occupied by H or W	Real; Personal
Plats of City Lots, Lien for Expenses (plat and survey)	36-7-3-9	When assessment made	Tax Duplicate	Until paid	Real
Restitution Lien (Criminal Proceedings)	35-50-5-3	Certification of order to circuit court clerk and entry in judgment docket	Judgment docket-Circuit court	10 years	Real
Sewer Charges, Connection, Rate	36-9-23-29	Upon recording	County Recorder	5 years or 15 years if paid in Installments (32-28-8-1)	Real
Sewage Works Lien, Municipal	36-9-23-32, 33	Upon recording of notice	County Recorder; Tax Duplicate	5 years or 15 years if paid in Installments (32-28-8-1) Not enforceable against subsequent owner unless lien recorded prior to deed	Real; superior to all other liens except taxes

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Sheriff or Coroner Property Seizure	32-30-11-5	Writ of Attachment	Circuit Court	Seizure for cause	Real; personal
State Psychiatric Institution, Charge for Services Uncollected	12-24-15-1	Upon recording	County Recorder	Until satisfied or released	Real-Against Patient and Responsible Parties
State Tax Liens for Delinquent Property Taxes assessed against Real Estate	6-1.1-22-13	Assessment date for year when taxes are assessed (Jan 1)	Tax Duplicate	10 years from May 10 of the year when taxes first became due	Real
State Tax Warrants	6-8.1-8-2	When entry of warrant is made in Judgment docket by Clerk of Circuit Court by statute	INCite -- searchable State of IN website	10 years	Real; Personal
Street Lighting - Municipal	36-9-9-10	Upon final acceptance by city of electric system (first assessment); Jan. 1 of each year for subsequent assessments	Certification to City or County Treasurer	5 years or 15 years if paid in Installments (32-28-8-1)	Real
Strip Mine, Employee's Lien on	32-28-10-2	Upon recording on notice of intent within 60 days of labor performed	Recorder of county where mine is situated	1 year from recording	Real; priority over all other liens except state tax lien

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Surveyor's Lien	32-28-11-1 et seq.	Upon recording	County Recorder	1 year from recording	Real
Tax Sale Lien in favor of County Executive	6-1.1-24-6	Day after the last date on which tract or item was offered for sale AND did not sell at minimum	Tax Duplicate	Tax Sale Certificate procedures	Real
Tax Sale Purchaser Lien	6-1.1-24-9; 6-1.1-24-6 (county as purchaser)	When Tax Sale bid paid; certificate of sale issued by auditor	Tax Duplicate	Tax Sale Certificate procedures	Real
Weed Control Board Lien	15-16-7-13	Upon certification	Tax Duplicates	Tax Collection procedures	Real
UCC Fixture Filing	26-1-9.1-501	Upon recording	County Recorder ; certain circumstances may require dual or SOS filing	5 years from recording; can be continued for additional 5 year periods	Real as fixture filing
Vendors Lien	See Mortgages And Vendors				

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