

## Michigan Real Estate Lien Guide

This quick reference guide was created to help you navigate the different types of real estate liens in Michigan. The chart below explains the types of liens, the duration of a lien and the statutory reference for each lien. The guide is not intended to list every lien in Michigan, but is a quick reference to the most common liens that you will see. Reach out to your local WFG Underwriter for liens not included in this guide or any additional questions you may have.

Real Estate Lien Type	Description	Expiration	Statute
<b>Mortgages</b>	A mortgage is a conveyance of an interest in property as security for the repayment of money borrowed.	A mortgage is statutorily discharged 30 years after the due date shown in the mortgage, or 30 years after the date of recording if no due date is stated. A mortgagee/lender is required by law to record a discharge within 60 days of payment in full of the mortgage.	MCL 565.382; MCL 565.44(2) b
<b>Financing Statement</b>	A financing statement provides for a method to secure a lien on fixtures.	A financing statement expires 5 years after recording, unless a continuation statement is recorded, which extends the financing statement for an additional 5 years.	MCL 440.9515
<b>State of Michigan Tax Lien</b>	A Notice of State Tax Lien is a lien filed by the Michigan Department of Treasury for unpaid state taxes, which attaches to all real property owned by the debtor.	The lien expires 7 years after the date of attachment. The lien may be extended for another 7 years by refiling if the refiling is made within 6 months prior to the expiration date of the original 7-year period.	MCL 205.29
<b>Michigan Employment Security Commission (MESC) Lien (now known as UIA Lien)</b>	A lien filed by the Michigan Unemployment Insurance Agency, formerly the Michigan Employment Security Commission will attach to an employer's real property for unpaid employer taxes.	There is no statutory expiration for such liens. The lien continues until it is discharged of record.	MCL 421.15
<b>Federal (IRS) Tax Lien</b>	A federal tax lien is a lien filed by the United States Government for unpaid federal taxes, which attaches to all real property owned by the debtor.	The lien expires 10 years, plus 30 days after the date of assessment. The IRS may refile the lien within 30 days after the expiration of the 10 year period.	26 USC §6323(g) (3)
<b>State Court Judgment Lien</b>	A judgment lien issued by a Michigan court is a lien in favor of the judgment creditor resulting from a judgment in favor of the creditor against a judgment debtor, which attaches to all real property owned by the debtor.	The lien expires 5 years after recording or 10 years from the date of the judgment, whichever is earlier. The lien may be rerecorded to extend the date for an additional 5 years if the rerecording is not less than 120 days before the initial expiration date.	MCL 600.2809

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<b>Federal Court Judgment</b>	A judgment in a civil action in federal court shall create a lien on all real property owned by the judgment debtor.	The federal judgment lien expires 20 years after the recording of the judgment. The lien may be renewed for an additional period of 20 years upon filing a notice of renewal.	28 USC §3201
<b>Notice of Lis Pendens</b>	A Notice of Lis Pendens provides record notice that there is a pending lawsuit involving the real property described in the Notice of Lis Pendens.	A Notice of Lis Pendens expires 3 years after its recording. However, the law suit referenced in the Notice of Lis Pendens should also be investigated to determine it no longer potentially affects the land.	MCL 600.2715
<b>Levy on Execution (also referred to as a Writ of Execution)</b>	A levy is the method of collecting on a civil money judgment. The real property can be sold by the sheriff to satisfy some or all of the civil money judgment.	A levy expires 5 years after recording, if no sheriff's sale has occurred.	MCL 600.6051
<b>Condominium Association Lien</b>	A Condominium Association Lien may be recorded against a unit owner by the condominium association in accordance with the by-laws of the association for non-payment of association dues.	There is no statutory expiration date.	MCL 559.208
<b>Construction Lien (also referred to as a Mechanics Lien)</b>	A contractor, subcontractor, supplier, or laborer, or design professional, who provides an improvement or professional service to real property has a right to record a (construction) claim of lien within 90 days after their last furnishing of labor or material.	A lawsuit for the enforcement of a construction lien by foreclosure must be brought within 1 year after the date the claim of lien was recorded. If no such lawsuit is filed, the construction lien expires.	MCL 570.1107, 570.1111, 570.1117

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