



COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

Leah Rochwarg Quoted in “Equipment that sat ‘idle’ doesn’t reduce mechanic’s lien” in Massachusetts Lawyers Weekly

SEPTEMBER 18, 2023

According to a recent decision from the Massachusetts Appeals Court, a mechanic’s lien stemming from a contractor’s failure to pay fees for heavy equipment it rented from a subcontractor cannot not be reduced for time the equipment sat unused during idle periods at the jobsite. Leah Rochwarg spoke with *Massachusetts Lawyers Weekly* about the decision.

Leah noted that the decision reinforces the importance of developing well-drafted contracts and, as a project proceeds, ensuring that contracts are properly administered by people with knowledge of the project itself and legal requirements such as the mechanic’s lien statute. She stated, “Had Bruno required Ivester to provide monthly statements from each of its subcontractors eligible to file a lien, as permitted by Section 32 of the statute, setting forth the amounts due or paid to them, [he] would have known long before the liens were filed that Ivester hadn’t made a single payment to Alliance.”

Continue reading “[Equipment that sat ‘idle’ doesn’t reduce mechanic’s lien](#)” on the *Massachusetts Lawyers Weekly* website (subscription required).