

721—45.5 (572) Posting of preliminary notice.**45.5(1) Posting by subcontractor.**

a. A subcontractor for residential construction who has provided or will provide labor or furnish material for residential construction shall post a preliminary notice to the MNLR, or the subcontractor is not entitled to a lien or remedies provided in Iowa Code chapter 572.

b. Prior to the posting of a preliminary notice, a notice of commencement of work must be posted on the MNLR. If the general contractor or owner-builder has not posted a notice of commencement of work on the MNLR within ten days of commencement of work on the property, then the subcontractor may post a notice of commencement of work on the MNLR prior to posting the preliminary notice. In order to post a notice of commencement of work on the MNLR, the subcontractor must comply with subrule 45.4(2).

45.5(2) Contents of preliminary notice. The information provided by the subcontractor shall, at a minimum, include:

- a.* The name of the owner.
- b.* The MNLR number.
- c.* The name, address and telephone number of the subcontractor furnishing the labor, service, equipment, or material.
- d.* The name and address of the person who contracted with the claimant for the furnishing of the labor, service, equipment, or material.
- e.* The name of the general contractor or owner-builder under which the claimant is performing or will perform the work.
- f.* The address of the property or a description of the location of the property if the property cannot be reasonably identified by an address.
- g.* The legal description of the property.
- h.* The date the material or materials were first furnished or the labor was first performed.
- i.* The tax parcel identification number.
- j.* The county in which the building, land, or improvement to be charged with the lien is situated.
- k.* The e-mail address of the subcontractor or the e-mail address of another individual or entity designated to receive electronic correspondence on behalf of the subcontractor.

45.5(3) Preliminary notice owner notice. At the time that a preliminary notice is posted on the MNLR, the administrator shall mail a written owner notice, as provided in paragraphs 45.4(3) “a” and 45.4(3) “b,” to the owner’s address. An owner-builder shall not receive an owner notice.

45.5(4) Proof of service of owner notice. The administrator shall post a proof of service on the MNLR. The subcontractor may obtain a copy by downloading the proof of service from the record of postings by MNLR number.