

Kansas Repairman's Lien



What is a lien?	This is your right to keep, repossess, and/or sell repaired equipment to make sure you get paid for repair work you do for the customer.
When is a lien needed?	When you repair equipment but the customer doesn't pay you when the work is finished. However, it is imperative to get permission from the <u>owner</u> of the equipment before you repair it. Find out whether the equipment is leased, and—if so—get the owner's permission, not the renter's permission.
How do I get a lien?	Keep the equipment until you get paid. You have the right to do this.
How do I lose the lien?	You lose your lien if you release the equipment <u>unless</u> you file a lien statement with the Registrar of Deeds in the county where the repairs were made within 90 days. For a sample lien statement, please click here .
How do I get paid?	To get paid, you will need to sell the equipment in compliance with state law.
	<ol style="list-style-type: none"> 1. If you keep the equipment, you can sell it pursuant to Uniform Commercial Code procedures (see below). You do not have to file a lien statement. If you released the equipment, you must repossess it. This can be done without the sheriff—IF it can be done without “breaching the peace.” Once the equipment is repossessed, you can sell the equipment at any time within one year from the filing of the lien statement.
	<ol style="list-style-type: none"> 2. You must provide notice of the sale to the customer and any other person who has filed a UCC financing statement on the equipment at least ten days before the notice of sale is sent. You must give the notice of sale at least 10 days before the sale date. Publishing the notice of sale in a local newspaper is recommended. If the sale is of “consumer goods”—such as lawn and garden equipment—there are additional, more specific requirements.
	<ol style="list-style-type: none"> 3. The sale must be at public auction, and the equipment goes to the highest bidder for cash. You can keep the cash received to pay your bill and your sale expenses. The rest must be given to the owner or to lenders that have claimed an interest. If the owner

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	is absent, you must deposit the remainder with the treasurer of the county where the sale took place.
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These materials are intended to be general summaries only. Contact your attorney for your specific situation.
