

<b>Louisiana Time Limitations on Enforcing Various Liens &amp; Interests</b>			
<b>Type</b>	<b>Duration</b>	<b>Release by:</b>	<b>Source</b>
Judgments	10 years from date of judgment; must be timely reinscribed and revived to extend its effect and maintain its ranking.	<p>Satisfaction of judgment by judgment creditor or assignee of record.</p> <p>Written request of any person after 10 years if accompanied by certificate of clerk of court that no suit or motion to revive judgment has been filed.</p> <p>Request by debtor upon proof of payment satisfactory to clerk of court.</p>	<p>CC Art. 3359 CC Art. 3362 CC Art. 3368 R.S. 9:324</p>
Mortgages	<p>The lien of a mortgage terminates 10 years after the date of the mortgage. However, if the mortgage indicates that the maturity date is 9 years or longer, the mortgage does not terminate until 6 years after the maturity date.</p> <p>If an amendment or modification of the mortgage is filed and the maturity date is extended, the 6 year period would run from the new maturity date.</p> <p>Exceptions: mortgages in favor of a railroad do not prescribe; mortgages in favor of a state savings and loan association, federal association, or federal savings bank are effective for 41 years from inscription.</p>	See above section titled "RELEASES OF MORTGAGE"	<p>CC Art. 3357 CC Art. 3358 CC art. 3361 R.S. 6:830 R.S. 6:901</p>
State Liens	10 years from date of recordation in mortgage records unless a specific state law provides for a shorter period.	Louisiana Department of Revenue or any interested party after 10 years.	R.S. 9:5685
IRS Liens	<p>Tax lien may be refiled for up to 10 years and 30 days from date of assessment (not date of filing). 26 U.S.C. §6502 26 U.S.C. §6323(g)(3)</p> <p>Recorded notice generally shows end of refiling period in column (e) and notice of lien operates as a release after the date indicated in column (e).</p>	Release of lien by IRS if refiling date not shown or if IRS refiles lien.	<p>26 U.S.C. 6502 26 U.S.C. 6323 (g)(3)</p>

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<p>Condo Assoc. Lien/Privilege</p>	<p>1 year (after filing the lien) unless suit commenced.</p> <p>Some condo declarations and restrictions provide that the obligation to pay condo dues and assessments runs with the land. Condo declarations and restrictions must be carefully reviewed. If the condo documents or restrictions provide that the obligation to pay dues and assessments runs with the land, the commitment and policy should include an exception for unpaid dues and assessments, despite the absence of a recorded lien.</p>	<p>Condo Assoc.</p> <p>Affidavit of prescription if no notice of suit is filed within 1 year from recordation of the lien.</p>	<p>R.S. 9:1123:115</p>
<p>HOA liens</p>	<p>5 years after recordation of lien.</p> <p>Some restrictive covenants for Planned Unit Developments provide that the obligation to pay dues and assessments runs with the land. If the declaration or other documents for the PUD contains such a provision, the commitment and policy should include an exception for unpaid dues and assessments owed to the HOA, even in the absence of a recorded lien.</p>	<p>HOA</p> <p>Affidavit of prescription if no notice of suit is filed within 5 years from the date of recordation of the lien.</p>	<p>R.S. 9:1147</p>
<p>Construction Liens</p>	<p>1 year unless a notice of pendency of action is filed within 1 year from filing statement of claim or privilege.</p> <p>Persons granted a lien or privilege under the Louisiana Private Works Act, R.S. 9:4801 et seq, have 30 days from the filing of a notice of termination of work to file a lien or privilege if there is a recorded building contract for the property. The lien period does not commence until the notice of termination of work is filed.</p> <p>If there is no recorded contract, the lien period is 60 days from filing the notice of termination of work or the substantial completion of the work if no notice of termination is filed.</p> <p>A seller of movables used or installed has 70 days from filing of a notice of termination or substantial completion if the property will be used for residential purposes.</p> <p>A notice of contract may be cancelled after 5 years from recordation unless reinscribed.</p>	<p>Lienholder or any interested person after 1 year if no notice of pendency of action is filed.</p> <p>Notice of contract may be cancelled with an affidavit of prescription after 5 years.</p>	<p>R.S. 9:4833 R.S. 9:4822 R.S. 9:4834</p>
<p>Judgment for past due child support</p>	<p>10 years from date child reaches the age of 18</p>	<p>Child or children named in judgment.</p> <p>Affidavit of prescription if record indicates ages of children and 10 years have passed since all children have reached the age of 18</p>	<p>R.S. 13:4291</p>

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Privilege in favor of commercial real estate broker	Must be filed at least five days prior to sale; realtor claiming privilege must file suit within 1 year from filing privilege	Realtor  Affidavit of prescription if no suit filed within 1 year.	R.S. 9:2781.1
Privileges under Civil Code	Varies	Person holding privilege	CC Art. 3249 CC Art. 3252
Judgment of bond forfeiture in criminal proceeding	10 years. May be revived by order of court	District attorney and/or order of court depending on rules or practice of parish where filed.	R.S. 15:89
Purchase agreement (contract to buy or sell immovable property)	1 year. May be reinscribed each 12 month period. Once a notice of lis pendens of a suit is filed, the filing is effective until cancelled in accordance with procedure applicable to pendency of action.	Request of any person after 1 year period or in accordance with procedure applicable to cancellation of lis pendens.	R.S. 9: 5609
Notice of pendency of action	10 years or earlier if order of cancellation rendered by court	Order of court or at request of any interested party if judgment in connection with proceeding has been cancelled or if proceeding has been dismissed.	CCP Art. 3753
Minor's mortgage	This mortgage encumbers all property owned by the tutor and is created by the filing of an inventory or sworn descriptive list of the minor's property. The examiner will not find a document entitled "minor's mortgage" but only the clerk's certificate.  The mortgage may be cancelled by any interested party 4 years after the minor reaches the age of 18. The minor may execute a release once he attains age of 18.	Release by minor after he reaches the age of 18.  Request by any interested party 4 years after the minor reaches the age of 18.	CCP Art. 4134
Judgment in favor of United States in civil action	20 years. May be renewed one time for an additional 20 years	Satisfaction of judgment or release	28 U.S.C. 3201
Restitution & Fine Orders (Federal)	Later of 20 years from entry or 20 years from release from prison or death	US Attorney	Lien in favor of the US on all property and rights to property. 18 U.S.C. 3613  Not dischargeable in bankruptcy  Enforceable in same manner as Fed tax lien

Updated 9/18/14 Stephen G. Sklamba