

August 18, 1981

Max C. Garrick, Jr., Esq.
Box 4218
Whittier, California 90607

Dear Mr. Garrick:

Your letter of August 4, 1981, to the Federal Aviation Administration, has been referred to this office since the determination to deny recordation of mechanic liens from those States that do not have "enabling" statutes was made here. We are unfamiliar with the "registration restrictions" you mention in your letter, however, in line with what we understood you to be seeking, that is, a means of protecting the interest of an unpaid artisan for work done on an aircraft, we can only advise that we will accept notices of lis pendens which specifically identify the aircraft (see 14 C.F.R. 49.33), and record judgments which enforce the lien of such artisans. In addition, where the State law allows the artisan in possession to publish notice of sale of the aircraft in pursuit of his lien, and give registered notice to the owner, etc., we will recommend recordation and honor of the procedure as to vest title to the artisan or his vendee under the State procedure.

There is no cost for this information. Your money will be returned in due course.

Sincerely,

Original signed by
JEROME CARTER

for

Joseph T. Brennan
Aeronautical Center Counsel

bcc:
AAC-250

Receipt 2095 8-18-81 25.00
replied 2 OR 18.8

MAX C. GARRICK, JR. / ATTORNEY AT LAW
12920 EAST WHITTIER BOULEVARD
POST OFFICE BOX 4218
WHITTIER, CALIFORNIA 90607
TELEPHONE (213) 698-8282



August 4, 1981

Federal Aviation Administration
Post Office Box 25082
Oklahoma City, Oklahoma

Reviewed by: Date:
JTB
REC
JWH
COMMENTS:

Re: Aircraft Lien/Registration Filings
Request for Information/Clarification

Gentlemen:

This company is engaged in a fixed base operation, including facilities for the maintenance and major mechanical work to be performed on various types of aircraft, including jet powered aircraft.

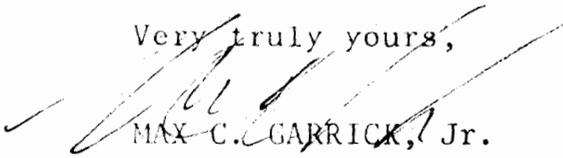
I am advised that the FAA no longer files "mechanic or artisan's liens" emanating out of the State of California by reason of the lack, in California, of an enabling statute permitting the FAA to do so. However, I have been similarly advised that the FAA does have certain filings which can be effected which would limit or restrict the reregistration or sale of an aircraft by reason of the existence of an unpaid lien on said aircraft.

The purpose of this letter is to solicit a clarification from your administration regarding the availability of such a registration restriction possibly imposed by reason of an aircraft owner's refusal or failure to honor or eliminate a mechanic's lien effective pursuant to state law.

In the event there is such a registration restriction or filing which is permitted with the FAA, I would appreciate your forwarding copies of the forms used to accomplish the same. Enclosed is a UCO Air check in the amount of "Not to Exceed \$25.00" to cover your costs, expenses and fees in this matter. u

Thank you very much for your consideration and assistance.

Very truly yours,


MAX C. GARRICK, Jr.

MCG:sr

Enclosure