

Memorandum 2000-27

**Stay of Mechanic's Lien Enforcement Pending Arbitration:
Comments on Tentative Recommendation**

In January, the Commission issued a tentative recommendation on *Stay of Mechanic's Lien Enforcement Pending Arbitration* (enclosed with Commissioners' copies of this memorandum). The tentative recommendation was posted on the Commission's website and distributed to over 130 persons (including the mailing lists for the studies of mechanic's liens and trial court unification). Despite these efforts to solicit input, the Commission has not received any comments on the tentative recommendation, perhaps because mechanic's liens generally are not enforced and the proposed revisions would not be a dramatic change in the law.

As explained in the tentative recommendation, the proposal seeks to clarify and improve the procedure for obtaining a stay of a mechanic's lien enforcement action pending arbitration. Absent negative input at or before the Commission's meeting, **the staff recommends that the Commission approve the proposal as a final recommendation, for printing and submission to the Legislature.**

Respectfully submitted,

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