

PENNSYLVANIA LIEN CHART

Common **STATUTE OF LIMITATIONS**
Affecting Real Estate Titles in **PENNSYLVANIA***

LIEN TYPE	LEIN DURATION	NOTES/COMMENTS
Child Support Liens [23 Pa.C.S.A. §4352(d.1)]	20 Year statute of limitations after last payment due	<ul style="list-style-type: none"> Do affect after-acquired property Do not pre-empt purchase money mortgages Do not affect property held as tenants by the entireties
Criminal Restitution Liens	Indefinite.	<ul style="list-style-type: none"> State liens do not affect after-acquired property Federal liens do affect after-acquired property Search from February 15, 1991
Department of Revenue Liens [72 P.S. §1404.1 & 72 P.S. §7345 (b)]	Indefinite	<ul style="list-style-type: none"> Search from December 12, 1984 to date December 12, 1984 - December 12, 1989 may not be a lien depending on the particular facts in the chain of title [Personal Income Tax indefinite liens date from August 8, 1986] Do affect after-acquired property according to the Department of Revenue
Federal Judgments (Obtained in Federal Court)	5 Years	<ul style="list-style-type: none"> Do affect after-acquired property Do not affect tenants by the entireties
Federal Tax Liens [26 U.S.C.A. §6502]	10 Years and 30 Days	<ul style="list-style-type: none"> Do affect after-acquired property Subordinate to purchase money mortgage Do affect property held as tenants by the entireties
Homeowner's Association Liens	3 years after the assessment becomes payable	<ul style="list-style-type: none"> Recording the Declaration constitutes record notice and perfection of the homeowner's association lien [68 Pa.C.S.A. §3315 (c) §4315 (d) & §5315 (d)] However, the lien for unpaid assessments is extinguished unless proceedings to enforce the lien are commenced within three years after the assessment becomes payable [§3315 (d)]; same holds true for Uniform Planned Community Act and the Real Estate Cooperative Act [68 Pa.C.S.A. §5315 (e) & §4315 (e)]
Mechanic's Liens [49 P.S. §1701]	Complaint must be filed within 2 years of filing claim unless extended in writing by owner and judgment must be entered within 5 years of the date of filing complaint	<ul style="list-style-type: none"> Once entered, judgment may be revived for successive 5 year periods but remains a lien only on the property in question [49 P.S. § 1705]
Mortgage [21 P.S. §688] Suspended by PA R.C.P. 1068 (b) on Constitutional grounds	Presumption of payment after lapse of time; usual time period is 20 years after maturity	<ul style="list-style-type: none"> This is only a presumption and can be rebutted. Until a court rules on a petition filed pursuant to the citation, there remains a cloud on title Mortgages held by the Commonwealth of Pennsylvania on which no payment has been made or any demand for payment made for fifty years are presumed released. The Department of Justice on application will enter a satisfaction of record [21 P.S. §700.1]
State Court Judgment Liens against Homeowners or Condominium Association	5 Years	<ul style="list-style-type: none"> Liens against a Homeowner or Condominium Association are liens on the units for their pro rata interest in the common elements [68 Pa.C.S.A. §3319 and §5319]
State Judgments [42 Pa.C.S.A. §5526]	5 Years	<ul style="list-style-type: none"> Do not affect after-acquired property
Student Loans [20 U.S.C.A. §1091a] [24 P.S. §5104.3]	Indefinite	<ul style="list-style-type: none"> Do affect after-acquired property

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LIEN TYPE	LEIN DURATION	NOTES/COMMENTS
Unemployment Compensation Liens [43 P.S. §788.1]	Indefinite	<ul style="list-style-type: none"> Search from June 12, 2007 Do affect after-acquired property of the employer liable for the tax The lien continues and retains priority without need for revival
US Judgments (Debt to USA) [28 U.S.C.A. §3201]	20 Years	<ul style="list-style-type: none"> Can be extended for an additional period of 20 years upon the timely filing of a notice of renewal [28 U.S.C.A. §3201(c)(2)] Judgments in favor of the US entered since June 1, 1981 have the twenty-year limitation period These judgments attach as liens to after-acquired real property
Welfare Liens	5 Years	
TAXES		
Real Estate Taxes		<ul style="list-style-type: none"> Search Tax Claim Bureau and have proof of payment (receipts or tax collector's certification) for last three past years' taxes plus current year's taxes [53 P.S. §7183]. Must also check to see if taxing authority has retained a collection agency and check with that agency as well. First priority lien (not divestible at sheriff sale)
Municipal Liens	20 Years	<ul style="list-style-type: none"> In rem lien affects only the property the lien is filed against [53 P.S. §7143]
Sales & Use Taxes [72 P.S. §7242]	5 Years	<ul style="list-style-type: none"> Do affect after-acquired property according to the Dept. of Revenue
Federal Estate Taxes	10 Years from the date of death	<ul style="list-style-type: none"> Lien is a secret lien; attaches without a need for filing [26 U.S.C.A. §6324, §827] For individuals who died in the following years, no estate tax liability exists if the estate is less than its respective amount: 2004 & 2005 - \$1,500,000 2013 - \$5,250,000 2006, 2007 & 2008 - \$2,000,000 2014 - \$5,340,000 2009 - \$3,500,000 2015 - \$5,430,000 2010 - Unlimited 2016 - \$5,450,000 2011 - \$5,000,000 2017 - TBD
PA Inheritance Taxes [72 P.S. §9169]	As an unfiled lien - 20 years after tax becomes delinquent, i.e. 20 years, 9 months after death under current laws	<ul style="list-style-type: none"> The 20 year and 9 month statute of limitation is predicated upon the transaction being for valid consideration and if there is no such transaction prior to this period of time, please contact the Underwriting Department to ascertain if the tax may be due and owed.
Realty Transfer Tax [72 P.S. §8112-C]	5 Years	<ul style="list-style-type: none"> Do not affect after-acquired property
UCC FILINGS		
All UCCs	5 Years from date of filing	<ul style="list-style-type: none"> May be continued for successive 5 year periods [13 Pa.C.S.A. §9515] Fixture Filings to be made in the Recorder's Office [13 Pa.C.S.A. §9301] Debtor need not sign after 7/1/2001 If continuation not filed within 6 months of end of specific duration is ineffective [13 Pa.C.S.A. §9515]
CORPORATE TAX LIENS		
Corporate Tax Lien	Indefinite	<ul style="list-style-type: none"> Must obtain a corporate lien certificate First priority lien (not divestible at sheriff sale)

Contact your CATIC Title Pennsylvania Underwriting Team with any questions.

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