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Media Release

BCLI Issues Report on the Builders Lien Act

for immediate release

Vancouver, 7 July 2020 — The British Columbia Law Institute (BCLI) released a report on reform of the *Builders Lien Act* today. The report results from a study that BCLI launched in response to an invitation from the Ministry of Attorney General to carry out a comprehensive review of the Act.

“The *Builders Lien Act* was overdue for revision after more than 20 years had passed since the current version of the Act came into force,” said David Mckenzie, current Chair of the BCLI Builders Lien Act Reform Project Committee. “Much change has taken place in the construction and property development industries in the interim.”

The *Builders Lien Act* is a major cornerstone of construction law. It gives contractors, material suppliers, and workers several forms of security for payment for work done or materials supplied to a building site, most notably a lien on the owner’s land. The Act also lets owners limit their exposure to claims by unpaid subcontractors and workers by maintaining a mandatory 10 per cent holdback.

The *Report on the Builders Lien Act* contains 86 recommendations for changes to the Act that were developed by the BCLI’s Builders Lien Act Reform Project Committee. The committee was chaired by Don Thompson, P. Eng. for most of the multi-year project. David Mckenzie took over as Chair in 2019 and oversaw the final phases of the project.

The report was preceded by a consultation paper issued in 2019 to gather input from the construction industry, homeowners, commercial building owners, developers, labour organizations, building professionals, providers of building materials, and all other stakeholders. The Project Committee received many submissions that were carefully considered in arriving at the final recommendations in the report.

The British Columbia Law Institute was created in 1997 by incorporation under the provincial Society Act. Its purposes are to promote the clarification and simplification of the law

and its adaptation to modern social needs, promote improvement of the administration of justice and respect for the rule of law, and promote and carry out scholarly legal research.

The *Report on the Builders Lien Act* may be downloaded at <https://www.bcli.org/project/builders-lien-reform-project>.

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