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For Immediate Release
January 24, 2018

PRESS RELEASE INFORMATION ON FIRE-RELATED DEBRIS CLEANUP

Napa County District Attorney Allison Haley announced information regarding fire-related debris cleanup efforts. The FBI has gotten complaints from property owners who received what appeared to be a bill for fire-related debris removal services. The property owners did not recognize the company on the apparent bill, and believed the bill to be fraudulent. Upon inspection, the apparent bills were actually preliminary lien notices from subcontractors who performed legitimate debris removal work.

A preliminary lien notice is not a bill. Rather, it is a notice sent by contractors and/or subcontractors in order to protect their right to file a lien if they are not paid upon completion of the construction project.

In the case of fire-related debris removal, many of the removal contracts were initiated by the U.S. Army Corps of Engineers rather than the property owners. In contracts with the federal government, the direct contractor is required to have a payment and performance bond to ensure that all subcontractors receive payment for the debris removal services they perform, so filing a lien is unnecessary. Not all subcontractors are familiar with federal government contracts and it appears they are simply filing preliminary lien notices as a matter of routine.

If property owners receive a preliminary lien notice, they should contact the listed subcontractor to determine if: (1) the subcontractor performed fire-related debris removal on their property, and (2) the debris removal was performed under a contract with the U.S. Army Corps of Engineers or another federal agency. If property owners still have questions regarding the preliminary lien notices, they should contact the District Attorney's Consumer/Environmental Protection Unit at (707) 253-4059 or daconsumer@countyofnapa.org.