

RETAINAGE AGREEMENT NOTICE

(reference Texas Property Code § 53.057)

[This header is for your convenience and may be deleted from the actual notice letter]

[claimant's letterhead]

[date]

VIA CERTIFIED MAIL, RETURN
RECEIPT REQUESTED # _____
[name of owner]
[address]

AND

VIA CERTIFIED MAIL, RETURN
RECEIPT REQUESTED # _____
[original contractor] [if your contract is not with original contractor]
[address]

RE: [name of project]
[address]

Dear [____]:

This notice is provided to comply with the requirements of § 53.057 of the Texas Property Code and is being sent to you as the owner of a project located at [insert address of project]. If you are not the owner of the above-referenced project, please notify the undersigned at your earliest convenience.

On or about [insert date], [insert name and address of claimant] entered into a subcontract agreement [or agreement to supply materials] with [name of original contractor or subcontractor] to provide labor and/or materials for a project [or building] located at [insert project address]. This agreement contains a retainage agreement as defined in § 53.057, Texas Property Code.

[Alternate paragraph if contract with subcontractor instead of the original contractor]

The name and address of the subcontractor that claimant contracted with is [insert name and address of subcontractor].

Further, in accordance with § 53.107 of the Texas Property Code, the undersigned requests that it be notified in writing if the prime contractor abandons the project or is terminated.

Sincerely,

[name of claimant]