

713.10 Extent of liens; liens on leasehold property.

(1) Except as provided in this section or s. 713.12, a lien under this part shall extend to, and only to, the right, title, and interest of the person who contracts for the improvement as such right, title, and interest exists at the commencement of the improvement or is thereafter acquired in the real property.

(2) When an improvement is made by a lessee in accordance with an agreement between such lessee and her or his lessor, the lien shall extend also to the interest of such lessor.

(3) When the lease expressly provides that the interest of the lessor shall not be subject to liens for improvements made by the lessee, the lessee shall notify the contractor making any such improvements of such provision or provisions in the lease, and the knowing or willful failure of the lessee to provide such notice to the contractor shall render the contract between the lessee and the contractor voidable at the option of the contractor.

(4) The interest of the lessor shall not be subject to liens for improvements made by the lessee when: ~~the~~ ⁽¹⁾ ~~the~~ ^{a copy of the prohibitory provision} ~~the~~ ^{memorandum} ~~the~~ ^{short form} ~~the~~ ^{either of which shall set forth the specific terms of the lease that expressly} ~~the~~ ^{prohibit such liability, is attached to the notice of commencement for the improvements, the notice of} ~~the~~ ^{commencement specifies that the improvements are leasehold improvements, the lessor is not giving any} ~~the~~ ^{consideration to the lessee for any part of the cost of the improvements, and the notice of commencement and} ~~the~~ ^{attached lease are is recorded in the official records of the county in which the leasehold property is located} ~~the~~ ^{prior to commencement of the improvements, clerk's office and the terms of the lease expressly prohibit such} ~~the~~ ^{liability; or} ~~the~~ ^{The interest of the lessor shall not be subject to}

(2) All of the leases entered into by a lessor for the rental of premises on a parcel of land prohibit such liability and a notice which sets forth the following is recorded by the lessor in the public records of the county in which the parcel of land is located:

(a) The name of the lessor.

(b) The legal description of the parcel of land to which the notice applies.

(c) The specific language contained in the various leases prohibiting such liability.

(d) A statement that all leases entered into for premises on the parcel of land contain the language identified in paragraph—

(5) (3) The interest of the lessor shall not be subject to liens for improvements made by the lessee when the lessee is a mobile home owner who is leasing a mobile home lot in a mobile home park from the lessor.