



Jason S. Lambert

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Jason represents clients including contractors, subcontractors, material suppliers, financial institutions, and insurance carriers in commercial litigation, with a special focus on real estate and construction matters. This representation often includes drafting contracts and other corporate documents, negotiating transactions, resolving payment and lien disputes, and addressing construction defect claims. Further, Jason brings an insider's knowledge and experience to his client's matters, having spent nearly a decade as a project and operations manager for construction companies before becoming an attorney.

His experience also includes representing clients at every stage of the dispute resolution process, including mediation, arbitration, litigation and trial, and appeals at every level of Florida's courts, including the Florida Supreme Court.

Services

- Litigation
- Construction Industry
- Real Estate

Education

- Stetson University College of Law (J.D., *cum laude*, 2012)
- Stetson University (B.B.A., *cum laude*, 2002)
 - Management

Bar Admissions

- Florida

Court Admissions

- State Courts of Florida
- U.S. District Court for the Middle District of Florida

Affiliations/Memberships

- Tampa Bay Area Chapter of the National Association of the Remodeling Industry, president
- Habitat for Humanity of Hillsborough County, Inc., board member
- Hillsborough County Bar Association, member
- Clearwater Bar Association Young Lawyers Division, past president
- Florida Bar Young Lawyers Division Board of Governors, 6th Circuit representative (2016 - 2018)
- Florida Creditor's Bar Association

Distinctions

- Florida *Rising Stars*® (2021)
- Board Certification in Construction Law (2022)



CONSTRUCTION LAW

Publications

August 14, 2022

Court Holds Second Roofing Contractor Did Not Interfere with First Roofing Contractor's Contract By Submitting Bid for Same Work

June 3, 2022

Court Holds Contractors Must Provide Sufficient Proof to Compel Association Claims to Arbitration

June 3, 2022

Florida Court Clarifies When Contractor's Final Payment Affidavit Must be Delivered Pre-Suit

June 3, 2022

New Florida Statute Changes Building Code Requirements for Roof Repairs

June 3, 2022

June Florida Construction Law Update

April 4, 2022

New Case Exposes the Risks of Relying on Text Messages to Alter or Create Contracts

April 4, 2022

Court Declines Workers' Comp Coverage for Employee Injured in HVAC Company Vehicle After Clocking Out

March 30, 2022

Florida Construction Law Guide for Contractors

March 11, 2022

Florida Court Decision Underscores Importance of Warranty Terms for Contractors

March 4, 2022

Recent Court Decision Addresses Whether Failure to Obtain Local Licenses Renders Contracts Unenforceable

March 4, 2022

Court Reverses Ruling In Favor of Landlord and Holds That Contractor's Lien for Tenant Improvements is Valid

March 4, 2022

Court Affirms \$638,000 Award for Improper Stoppage of Construction Contract by County

March 2, 2022

March Florida Construction Law Update

April 22, 2021

COVID-19 Vaccines in the Workplace: 8 Considerations for Employers

PileDriver Magazine

January 19, 2021

10 Steps for Out-of-State Contractors to Get Licensed in Florida Without an Exam

March 31, 2020

Construction Impacted by Coronavirus? Know Your Lien Rights

Florida Liens Resource



What to Do After You Record a Florida Construction Lien

Serve your construction lien on the property owner.

- A copy of the lien must be served within 15 days of recording.
- You can serve the lien by, (1) actual delivery to the property owner, (2) common carrier delivery service (such as UPS or FedEx), or (3) certified mail, with evidence of delivery.
 - Your evidence of delivery can be electronic.
 - The lien should be sent to the property owner's address as shown on the notice of commencement, the last address shown on the building permit, or the last known address of the property owner.

Enforce your construction lien.

- A lien is enforced by filing a lawsuit to foreclose the lien. Most often, this lawsuit will need to be filed in a

county or circuit court based on the property's location. In some scenarios, your suit can be filed using Florida Small Claims Rules.

- A Florida construction lien is valid for one year from the date of recording.
- The timeline of a lien can be reduced in one of two ways.
 - A notice of contest of lien shortens this timeline from one year to 60 days from the date of the notice of contest.
 - A lawsuit to discharge the lien shortens this timeline from one year to 20 days

You may recover your attorney fees.

- Under Florida construction lien law, the prevailing party in an action to enforce a lien is entitled to an award of its attorney fees.

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Things to Be Aware Of Regarding Your Lien

Liens can be invalidated after the fact.

- Be aware that if you receive a request for a copy of contract or sworn statement of account, failure to provide a timely response can invalidate your lien.
- Be aware that if you receive a request for a list of subcontractors or suppliers, failure to provide a timely response can also invalidate your lien

Liens can be assigned.

- Assigning a lien can help obtain payment from a general contractor or other party who has a lien that includes your work.
- Any such assignment needs to be recorded

Liens can be transferred from the property in question to bonds.

- The effect of a lien transference is to remove the lien from the property and to secure it with a bond. The amount of the bond is equal to the lien, plus three year's interest, plus attorney fees in an amount equal to 25% of the lien. This formula is the starting point to calculate the bond value, and there is no cap on the amount of attorney fees that can be recovered.
- Any lien transferred to a bond must still be enforced within the current timeline of the lien, but the lien must be foreclosed against the bond instead of the property.
- If you take action to enforce the lien, you can ask the court to increase the amount of the bond.

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Other Construction Lien Law Information

When filing a lawsuit to enforce your lien, your suit can address more than your construction lien.

- Any lawsuit to enforce your lien can include claims for breach of contract, unjust enrichment, and/or similar claims for payment.

You may be entitled to summary proceedings.

- Under § 713.346, *Florida Statutes*, if the property owner or general contractor has received funds to pay you but has not done so, and there is no dispute that you are owed all or a portion of those funds, you can seek a summary hearing to obtain an early award of those funds.

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Florida Construction Law Guide for Contractors



A plain language, quick reference guide on the topics that impact contractors almost daily in Florida

Dinsmore & Shohl construction partner, Jason Lambert, has published Florida Construction Law for Contractors. This short guide is perfect for newly licensed contractors or more experienced contractors who need a handy refresher on Florida's construction laws. This book covers requirements for Florida contracts, construction liens and notices to owner, advertising limitations, licensing and other statutes applicable to contractors, and much more! Keep it on your desk or in your truck so you're never more than a page away from the information you need to operate in today's highly regulated construction environment.

Leave your information below to download your digital version today, or contact jason.lambert@dinsmore.com to order a print copy!

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