MORTGAGE, JUDGMENT, LIEN, OR ENCUMBRANCE IS REQUIRED BY THE LAWS OF THE STATE TO BE RECORDED AND IT WAS RECORDED PRIOR TO THE COMMENCEMENT OF THE BUILDING, OTHERWISE THE MECHANICS' LIEN HAS PRIORITY.

REVISOR'S NOTE: This section is new language derived from Art. 21, §9-107 of the Code. It is added to clarify the probable original legislative intent when this section was enacted. It should be noted that the Code Revision Committee of the State Bar Association recommends that new language be added to this section so that a mechanics' lien can only attach after completion of work necessary to qualify for a building permit. The existing law makes it quite difficult to obtain financing for construction and the Committee recommends that the General Assembly consider enacting appropriate legislation.

The only other changes are in style.

9-108. NO WAIVER BY GIVING CREDIT OR TAKING SECURITY.

NO PERSON HAVING A MECHANICS' LIEN WAIVES THE LIEN BY GRANTING A CREDIT, OR RECEIVING A NOTE OR OTHER SECURITY, UNLESS IT IS RECEIVED AS PAYMENT OR THE LIEN IS EXPRESSLY WAIVED. THE SOLE EFFECT OF GRANTING A CREDIT, OR RECEIVING A NOTE OR OTHER SECURITY OTHERWISE THAN AS PAYMENT OF THE LIEN PREVENTS THE INSTITUTION OF ANY PROCEEDING TO ENFORCE THE LIEN UNTIL THE EXPIRATION OF THE TIME AGREED ON.

REVISOR'S NOTE: This section presently appears as Art. 21, §9-108 of the Code. The only changes are in style.

9-109. RIGHT TO INSTITUTE PERSONAL ACTION.

NOTHING IN THIS SUBTITLE AFFECTS THE RIGHT OF ANY PERSON, TO WHOM ANY DEBT IS DUE FOR WORK DONE OR MATERIAL FURNISHED, TO MAINTAIN ANY PERSONAL ACTION AGAINST THE OWNER OF THE BUILDING OR ANY OTHER PERSON LIABLE FOR THE DEBT.

REVISOR'S NOTE: This section presently appears as Art. 21, §9-109 of the Code. The only changes are in style.

9-110. SUBTITLE A REMEDIAL LAW; AMENDMENT TO PROCEEDINGS.

THIS LAW IS REMEDIAL AND SHALL BE [[LIBERALLY]] SO CONSTRUED TO GIVE EFFECT TO ITS PURPOSE. ANY AMENDMENT