

# Mortgage+Care

The fields in this document are filled in by Mortgage+Care Loan Origination Software.  
Please contact us at (800)481-2708 or [www.mortcare.com](http://www.mortcare.com) for a list of mergeable documents.

## UNCONDITIONAL WAIVER AND RELEASE UPON FINAL PAYMENT

[Civil Code ss3262(d)(4)]

The undersigned has been paid in full for all labor, services, equipment or material furnished to

\_\_\_\_\_ on the job of \_\_\_\_\_  
(Your Customer) (Owner)

located at \_\_\_\_\_ and does hereby waive and release any right to a  
(Job Description)

mechanic's lien, stop notice or any right against a labor and material bond on the job, except for disputed claims for extra work in the amount of \_\_\_\_\_

Tax I.D. # \_\_\_\_\_

Dated \_\_\_\_\_  
(Company Name)

By \_\_\_\_\_  
(Title)

**NOTICE: THIS DOCUMENT WAIVES THE RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE CONDITIONAL RELEASE FORM.**

**Note:** This form of release complies with Civil Code Section 3262(d)(4).

USE REVERSE SIDE AS RELEASE FOR INDIVIDUALS PERFORMING LABOR FOR WAGES

### ss484(b) OF THE CALIFORNIA PENAL CODE PROVIDES IN PART AS FOLLOWS:

"Any person who receives money for the purpose of obtaining or paying for services, labor, materials or equipment and willfully fails to apply such money for such purpose by either willfully failing to complete the improvements for which funds were provided or willfully failing to pay for services, labor materials or equipment provided incident to such construction, and wrongfully diverts the funds to a use other than that for which the funds were received, shall be guilty of a public offense and punishable by a fine not exceeding five thousand dollars (\$5,000.), or by imprisonment in the state prison not exceeding five years, or in a county jail not exceeding one year, or by both such fine and such imprisonment."

### ss484(c) OF THE CALIFORNIA PENAL CODE PROVIDES AS FOLLOWS:

"Any person who submits a false voucher to obtain construction loan funds and does not use the funds for the purpose for which the claim was submitted is guilty of embezzlement."

### ss206.5 OF THE CALIFORNIA LABOR CODE PROVIDES:

"No employer shall require the execution of any release of any claim or right on account of wages due, or to become due, or made as an advance on wages to be earned, unless payment of such wages has been made. Any release required or executed in

violation of the provisions of this section shall be null and void as between the employer and the employee and the violation of the provisions of this section shall be a misdemeanor."