## REAFFIRMED: LLC Members Have No Legal Interest In Llc Property

[Kymn Harp](http://www.linkedin.com/profile/view?id=4992727&goback=%2Egde_1049017_member_271891186)Commercial Real Estate Attorney

[**REAFFIRMED: LLC Members Do NOT Have Interest in LLC Property - HARP - On This. . .**](http://www.linkedin.com/news?viewArticle=&articleID=5782217668060782662&gid=1049017&type=member&item=271891186&articleURL=http%3A%2F%2Fharp-onthis%2Ecom%2Fbusiness%2Fllc-members-have-no-interest-in-llc-property%2F&urlhash=Ym8I&goback=%2Egde_1049017_member_271891186)**harp-onthis.com**

Can an LLC member file a mechanics lien against LLC property? Illinois court rules "yes". Reason? LLC member is not an owner of LLC property. OK to lien it.

* [William A. Price](http://www.linkedin.com/groups?viewMemberFeed=&gid=1049017&memberID=37150439)

Attorney at Law at www.growthlaw.com

Same principle as partnership property -- the member's interest is in the entity, and therefore the property is "theirs" only for LLC purposes. There could be a question of fiduciary duty to the entity and to the other members, however, particularly in a closely held member-managed LLC. Such duties are limited to members who have management powers under the operating agreement, Katris v. Carroll, 842 N.E.2d 221, 362 Ill.App.3d 1140 (Ill. App., 2005).