

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): ☐ ATTORNEY FOR ☐ ORIGINAL JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	FOR RECORDER'S USE ONLY
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	LEVYING OFFICER (name and address): _____
NOTICE OF LEVY under Writ of ☐ Execution (Money Judgment) ☐ Sale	LEVYING OFFICER FILE NO.: _____ COURT CASE NO.: _____

Note: If you are notifying more than one judgment debtor, you must use a separate *Notice of Levy* for each judgment debtor.

TO THE PERSON NOTIFIED (name):

1. The judgment creditor seeks to take (levy upon) property that belongs to, or is partially owned by, the judgment debtor (named in item 1a) and use it to pay off (satisfy) a judgment as follows:
 - a. Judgment debtor (name): _____
 - b. The property to be levied upon is described (check one):

☐ in the attached writ of possession or writ of sale.
☐ on an attached sheet of paper labeled "Attachment 1."
☐ as follows: _____
2. The judgment is for (check one):

☐ wages owed ☐ child/spousal support ☐ personal debt ☐ other (specify): _____
3. The amount necessary to satisfy the judgment creditor's judgment writ is

a. Total amount due (less partial satisfactions) from line 18 of writ (form EJ-130)	\$
b. Levy fee (Gov. Code, §§ 26720, 26721)	\$
c. Sheriff's disbursement fee (Gov. Code, § 26746)	\$
d. Recoverable costs (Code Civ. Proc., § 685.090)	\$
e. Total (a through d)	\$ 0.00
f. Daily interest from line 19a of writ (form EJ-130)	\$
4. You are notified as (check one):
 - a. ☐ a judgment debtor.
 - b. ☐ a person other than the judgment debtor (state capacity in which person is notified): _____

(Read "If You Are the Judgment Debtor" or "If You Are Not the Judgment Debtor" on page 2.)

Notice of Levy was ☐ mailed on (date): _____ ☐ delivered on (date): _____ Date: _____	☐ posted on (date): _____ ☐ filed on (date): _____ ☐ recorded on (date): _____
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_____ Type or Print Name	▶ Signature ☐ Levying officer ☐ Registered process server
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Plaintiff/Petitioner:	CASE NUMBER:
Defendant/Respondent:	

IF YOU ARE THE JUDGMENT DEBTOR:

- The levying officer is required to take the property described in item 1 if you have it, control it, or the title is in your name.
- You may be able to claim that your property is exempt (cannot be given to the judgment creditor). A list of exemptions can be found on form EJ-155. **If you wish to claim an exemption for personal property, you must do so within 15 days of service if you were personally served with this notice, or within 20 days of service if you were served by mail.**
 - If this notice of levy is enforcing a judgment for personal debt, as defined in Code of Civil Procedure section 683.110(d), you can file a claim of exemption more than 20 days after this notice was mailed to you. However, the levying officer can give the property described in item 1 to the judgment creditor at any time after the 20-day period ends.
 - To claim an exemption, file *Claim of Exemption* (form EJ-160) with the levying officer. (Code Civ. Proc., § 703.520.)
 - If you mail form EJ-160 to the levying officer and the U.S. Postal Service (or other delivery service) assigns a tracking number, then the filing is considered complete on the date of the postmark. If you mail form EJ-160 without a tracking number, the filing is complete on the day the levying officer receives form EJ-160.
 - If you do not file a claim of exemption on time, you may not be allowed to make the claim at a later time, and your property may be given to the judgment creditor. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.**
- If the property described in item 1 is a deposit account, the financial institution (such as a bank or credit union) must automatically protect a certain amount of money in the account before giving the money to the levying officer. Read "Information About Deposit Accounts" below.
- You cannot claim an exemption for property that is being taken under a judgment for sale of property. This property is described in the writ of sale. However, if the judgment for sale of property also awarded damages or costs, you can claim available exemptions for property being taken to satisfy that part of the judgment.
- You may get your property released if you pay the amount of the money judgment, including interest and unpaid costs.
- If your property is being taken under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale. The property can be sold for less than it is worth. You will receive a notice of sale. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after you are served with this *Notice of Levy*. You can use this 120-day period to settle with the judgment creditor, find a buyer for the property, or encourage other potential buyers to attend the execution sale. All sales at an execution sale are final; there is no right of redemption.

IF YOU ARE NOT THE JUDGMENT DEBTOR:

- If you have or control the property listed in item 1, and you do not claim that you have a security interest in the property or the right to keep the property, you must give the property to the levying officer. If you do not dispute the levy or do not claim that you have priority over the judgment creditor's lien, you must pay to the levying officer the amount that is currently due and any amount that becomes due within two years after the writ of execution was issued. You must sign and provide any documents needed to transfer the property.
- If you are a financial institution, you are required to apply exemptions to deposit accounts (described in the next section).
- You must complete *Memorandum of Garnishee* (form EJ-152) and mail or deliver it to the levying officer within 10 days after you are served with this *Notice of Levy*.
- If you claim ownership or the right to possession of the property listed in item 1, or if the property listed in item 1 is personal property and you claim a security interest in or lien on that property, you may make a third-party claim to release the property under Code of Civil Procedure sections 720.010–720.800.
- Make checks payable to the levying officer shown on page 1.**

INFORMATION ABOUT DEPOSIT ACCOUNTS

- If the levy is **not** for a judgment for wages owed, child or spousal support, or liability to the state government, then financial institutions must automatically protect money in a deposit account up to a certain dollar amount (this protection is called an "automatic exemption"). You do not have to file a claim of exemption to get this protection. (Code Civ. Proc., § 704.220.) The protected dollar amount is listed on *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form EJ-156).
- Other automatic exemptions may apply to deposit accounts, such as exemptions for directly deposited social security or public benefits. (Code Civ. Proc., § 704.080.) Read form EJ-156 for the exemption amounts. If more than one exemption applies, the bank should apply the larger exemption. (Code Civ. Proc., § 704.220(b).)
- If a judgment debtor has multiple accounts in one or more financial institutions, either the judgment creditor or judgment debtor may ask the court for an order deciding how to apply the exemption to those accounts under Code of Civil Procedure section 704.220(e). To ask for this order, file *Ex Parte Application for Order on Deposit Account Exemption* (form EJ-157) as soon as possible. (Read form EJ-157-INFO for instructions.) Without a court order, the bank will choose how to apply the exemption to the accounts.