6-17/200.00 Seizure of Property

• 6-17/210.00 Method of Seizure

The levying officer shall enter the premises described in the writ and seize the property generally described in the writ as identified by the plaintiff. The levying officer's entry is through the permission of the plaintiff, who, by definition, retains the right of access to, and control of, the dwelling unit.

• 6-17/220.00 Service of Writ of Possession

• 6-17/230.00 After Hearing Writ of Possession

At the time of levy, the levying officer shall deliver to the person in possession of the property a copy of the writ of possession, with a copy of the plaintiff's undertaking attached. (CC 1861.18)

If no one is in possession of the property at the time of levy, the levying officer shall subsequently serve the writ and attached undertaking on the defendant.

If service on the defendant is required, it shall be by personal service, or:

If the defendant has not appeared in the action, in the manner provided for the service of summons and complaint.

If the defendant has appeared in the action, by leaving with a person at least 18 years of age at the defendant's residence between the hours of 8 a.m. and 6 p.m. If at the time of attempted service between said hours no such person can be found, service may be made by first class mail at the defendant's office address as last given on any document filed in the cause by the defendant and served on the plaintiff; otherwise, at the defendant's residence address. If the defendant's residence address is unknown, then service is effected by delivery to the clerk of the court. (CCP 1011, 1013)

• 6-17/240.00 Ex Parte Writ of Possession

The following listed documents must be delivered both to the person in possession of the property at the time of the levy and to the defendant subsequent to the levy, unless they be one and the same, in which case only one service is required. (CC 1861.6)

A copy of the summons and complaint

A copy of the application and any affidavit in support thereof

A notice that informs the defendant of the rights under CC 1861.8

A copy of the writ of possession with a copy of the plaintiff's undertaking attached

The service(s) shall be made in the manner provided for the service of a summons and complaint.

• 6-17/250.00 Writ Return

The levying officer shall return the writ of possession, with his proceedings thereon, to the court in which the action is pending, within 30 days after a levy, but in no event more than 60 days after the writ is issued. (CC 1861.20)