

6-19/310.00 Lien Levies On Specific Types of Property

- **6-19/310.10 Equipment of Going Business**

- **6-19/310.11 Equipment Other Than Vehicle or Vessel**

To attach equipment of a going business in the possession or under the control of the defendant, the levying officer shall file the statutory \$20 fee (check payable to the Office of the Secretary of State) and shall file with the Office of Secretary of State an original and a copy of a notice of attachment in the form prescribed by the Secretary of State. A copy of the writ is not filed with the notice. The original notice will be retained by the Secretary of State, and the copy will be returned to the levying officer with the filing date, time and number stamped thereon. The notice shall contain all of the following: (CCP 488.375)

- The name and mailing address of the plaintiff.
- The name and last known mailing address of the defendant.
- The title of the court where the action is pending and the cause and number of the action.
- A description of the specific property attached.
- A statement that the plaintiff has acquired an attachment lien on the specified property of the defendant.

Information regarding an attachment lien is available from the Secretary of State for a fee; however, this is not done through the levying officer.

- **6-19/310.12 Equipment That Is a Vehicle or Vessel**

To attach a vehicle or vessel for which a certificate of ownership has been issued by the Department of Motor Vehicles, or a mobilehome or commercial coach for which a certificate of title has been issued by the Department of Housing and Community Development, which is equipment of a going business in the possession or under the control of the defendant, the levying officer shall tender a \$15 filing fee to the appropriate department and shall file with the appropriate department a notice of attachment, in the form prescribed by such department, which shall contain the following: (CCP 488.385)

- The name and mailing address of the plaintiff.

- The name and last known mailing address of the defendant.
- The title of the court where the action is pending and the cause and number of the action.
- A description of the specific property attached.
- A statement that the plaintiff has acquired an attachment lien on the specific property of the defendant.

• **6-19/310.20 Inventory and Farm Products**

An alternative method of attaching farm products or inventory of a going business in the possession or under the control of the defendant, the plaintiff may instruct the levying officer to file a lien with the Secretary of State. This section does not apply to growing crops, timber to be cut, or minerals or the like. The levying officer shall file the statutory \$20 fee (check payable to the Office of the Secretary of State) and shall file with the Office of Secretary of State an original and a copy of a notice of attachment in the form prescribed by the Secretary of State. A copy of the writ is not filed with the notice. The original notice will be retained by the Secretary of State, and the copy will be returned to the levying officer with the filing date, time and number stamped thereon.

The notice of attachment shall be in the form prescribed by the Secretary of State and shall contain all of the following: (CCP 488.405)

- The name and mailing address of the plaintiff.
 - The name and last known mailing address of the defendant.
 - The title of the court where the action is pending and the cause and number of the action.
 - A description of the farm products and inventory attached.
 - A statement that the plaintiff has acquired an attachment lien on the described property and on identifiable cash proceeds and, if permitted by the writ of attachment or court order, on after-acquired property.
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