6-20/200.00 Property Not Subject to Enforcement of Money Judgment

The following types of property are not subject to execution (CCP 699.720):

1. An alcoholic beverage license that is transferable
2. The interest of a partner in a partnership or member in a limited liability company if the partnership or the limited liability company is not a judgment debtor.
3. A cause of action that is the subject of a pending action or special proceeding.
4. A judgment in favor of the judgment debtor prior to the expiration of the time for appeal from the judgment or, if an appeal is filed, prior to the final determination of the appeal.
5. A debt (other than earnings) owing and unpaid by a public entity.
6. The loan value of an unmatured life insurance, endowment, or annuity policy.
7. A franchise granted by a public entity and all the rights and privileges of the franchise.
8. The interest of a trust beneficiary.
9. A contingent remainder, executory interest, or other interest in property that is not vested.
10. Property in a guardianship or conservatorship estate.

• 6-20/200.10 Non-assignable Property

Except as otherwise provided by law, property of the judgment debtor that is not assignable or transferable is not subject to the enforcement of a money judgment. (CCP 695.030) However, the debtor's rights in collateral may be voluntarily or involuntarily transferred (by way of sale, creation of a security interest, attachment, levy, garnishment or other judicial process) notwithstanding a provision in the security agreement prohibiting any transfer, but a provision in the security agreement making the transfer constitute a default is valid. (COMM 9401)

• 6-20/200.20 Business License

A license issued by a public entity to engage in any business, profession, or activity is not subject to enforcement of a money judgment. (CCP 695.060) (exception: court appointed receiver - CCP 708.630)

• 6-20/200.30 Social Security

Social Security benefits are exempt without filing a claim. (42 USC 407)

• 6-20/200.40 Inadvertent Levy Claim of Exemption

Property that is not subject to the enforcement of judgment cannot be levied upon. However, if the property is levied, it may be released pursuant to claim of exemption procedures. (CCP 695.040)

• 6-20/210.00 Property Subject to Enforcement of Money Judgment

Except as otherwise provided by law, all property that is subject to enforcement of a money judgment pursuant to Article 1 (commencing with Section 695.010) of Chapter 1 is subject to levy under a writ of execution to satisfy a money judgment. (CCP 699.710, 695.010)

• • 6-20/210.10 Community Property

Community property is subject to enforcement of a money judgment as provided in the Family Code. (CCP 695.020, FAM 65, 63, 750, 760 - 853)

• • 6-20/210.20 Trust, Cause of Action

An interest in a trust, to the extent provided by law and a cause of action for money or property that is the subject of a pending action or special proceeding is subject to enforcement of a money judgment. (CCP 695.030)

• • 6-20/210.30 Real Property Lease

CCP 695.035

(a) A lessee’s interest in real property may be applied to the satisfaction of a money judgment in any of the following circumstances:

1. If the lessee has the right voluntarily to sublet the property or assign the interest in the lease.
2. If the lessee has the right voluntarily to sublet the property or assign the interest in the lease subject to standards or conditions and the purchaser at the execution sale or other assignee agrees to comply with the standards or conditions that would have had to be complied with had the lessee voluntarily sublet the property or assigned the interest in the lease.
3. If the lessee has the right voluntarily to sublet the property or assign the interest in the lease with the

consent of the lessor, in which case the obligation of the lessor to consent to the assignment is subject to the same standard that would apply had the lessee voluntarily sublet the property or assigned the interest in the lease.

4. In any other case, if the lessor consents in writing.

(b) A provision in a lease for the termination or modification of the lease upon an involuntary transfer or assignment of the lessee's interest is ineffective to the extent that such provision would prevent the application of the lessee's interest to the satisfaction of the money judgment under subdivision (a).