6-25/100.00 Collection in Lieu of Sale

Property levied on pursuant to a writ of execution is generally required to be sold in order that the proceeds of the sale may be applied to satisfaction of the judgment. (CCP 701.510) Certain types of personal property that are subject to levy are particularly susceptible to sacrifice and speculative sales. As a consequence, where these types of property have been levied upon, the law requires the levying officer to collect proceeds as they become due under the levied property and apply those proceeds to satisfaction of the judgment, rather than to sell the property itself. Sale of the property is still available, but only in a case where the judgment debtor does not object to the sale after being notified of the intent to sell or upon court order. (CCP 701.520) Collected checks shall be endorsed by the levying officer rather than sold. (CCP 687.020)