6-25/420.00 Judgment Debtorâ€™s Motion to Collect Rather Than Sell

In order to avoid sale of the property, the judgment debtor must, apply to the court on noticed motion for an order that the property be collected, rather than sold. The application must be submitted to the court within 10 days of service of the notice of intended sale (extended by the appropriate mail time pursuant to CCP 684.120 if the judgment debtor was served by mail) Within the same time period, the judgment debtor must also serve a copy of the notice of motion, either personally or by mail, on the judgment creditor and file a copy of the notice of motion with the levying officer. (CCP 701.520(c))