6-30/370.30 All Other Property

To oppose a claim of exemption, the judgment creditor must file a Notice of Opposition to Claim of Exemption (EJ-170) and a Notice of Hearing on Claim of Exemption (EJ-175) with the court, and file copies of both notices with the levying officer within 15 days after the levying officer served the Notice of Claim of Exemption. (CCP 703.550(a)) The appropriate extension of time pursuant to CCP 684.120 if the judgment creditor was served by mail.

The Notice of Opposition to Claim of Exemption (EJ-170) shall the following:

- executed under oath (CCP 703.560)
- An allegation either
  - The property is not exempt under the provision of this chapter or other statute relied upon (CCP 703.560(a)(1)) or
  - The equity in the property claimed to be exempt is in excess of the amount provided in the applicable exemption (CCP 703.560(a)(2))
- A statement of the facts necessary to support the allegation (CCP 703.560(b))

If the notices and copies are timely filed, the levying officer shall promptly file the claim of exemption (and Financial Statement if required) with the court. If either or both notices and copies are not timely filed, the levying officer shall immediately release the property to the extent it is claimed to be exempt. (CCP 703.550(a))