6-26/300.00 Enforcement of Judgment for Sale

• 6-26/310.00 Enforcement After Death of Debtor

A writ of sale may be enforced after the death of the judgment debtor. (CCP 686.020; PROB 9302)

• 6-26/320.00 Enforcement Against Public Entity

A writ of sale is enforceable against a public entity to the extent of seizure and sale of the property specified in the judgment. (CCP 712.070)

• 6-26/330.00 Order Directing Transfer

If a writ of sale is issued, the judgment creditor may apply to the court for an order directing the judgment debtor to transfer to the levying officer possession of the property to be sold, if the prescribed method of levy is by taking the property into custody, and/or possession of any documentary evidence of title to property to be sold. An order to transfer possession of documentary evidence of title may not be served prior to the time of levy. The order shall be personally served on the judgment debtor and shall contain a notice that failure to comply with the order may subject the judgment debtor to being held in contempt of court. (CCP 716.030)

• 6-26/340.00 Time to Execute Writ

The levying officer may not levy upon or otherwise seize property under the writ after the expiration of 180 days from the date the writ was issued. (CCP 712.030)

• 6-26/350.00 Levy

Upon delivery of the writ of sale to the levying officer to whom the writ is directed, together with the written instructions of the judgment creditor and a certified copy of the judgment for sale, the levying officer shall execute the writ in the manner prescribed by law. (CCP 716.010)

To execute the writ of sale the levying officer shall levy upon, give notice of sale, and sell the property described in the writ of sale in the same manner as is prescribed for like property under a writ of execution. (CCP 716.020)

As under execution, if the property is real property consisting of one parcel or of two or more contiguous parcels, situated in two or more counties, it may be sold in one county. (CCP 701.570(a)) In this event, under a writ of sale, the court may, in its judgment, direct the whole thereof to be sold in one of the counties, and upon these proceedings, and with like effect, as if the whole of the property were situated in that county. (CCP 726(d))