6-26/610.00 Manner of Sale

Prior to requesting bids, the selling officer should read the notice of sale verbatim. By so doing, prospective bidders are informed of the authority for the sale and the description of the property, and are advised that only the right, title and interest of the debtor are being sold.

A sale of property shall be held:

- At the date, time, and place specified in the notice of sale, unless there has been a postponement, in which case it shall be held at the date and time appointed in the last postponement and at the place specified in the notice of sale (CCP 701.570(a))
- The sale shall be in the county where the property or a part thereof is situated (CCP 701.570(a))
    - Unless sold separately, real property consisting of one parcel, or of two or more contiguous parcels, situated in two or more counties may be sold in one county as instructed by the judgment creditor.
- Held between the hours of 9 a.m. and 5 p.m. (CCP 701.570(a))
- The sale shall be made at auction to the highest bidder (CCP 701.570(b))
- Personal property capable of manual delivery is to be sold, it shall be within the view of those who attend the sale unless the court orders otherwise (CCP 701.570(c))
- Property shall be sold separately or in such groups or lots as are likely to bring the highest price. (CCP 701.570(d))
    - The judgment debtor may request the property be sold separately or together and may request that the property be sold in a particular order.
        - If the debtor is not present, the request may be in writing and delivered to the levying officer prior to the sale
        - The levying officer shall comply with the request if, in the officer's opinion, the requested manner of sale is likely to yield an amount at least equal to any other manner of sale or the amount required to satisfy the money judgment, and the officer is not liable for such a decision if made in good faith.
- After sufficient property has been sold to satisfy the money judgment, no more shall be sold (CCP 701.570(e))