6-26/890.00 Special Tax Assessment

The legislative body of a city, county or special district may protect bondholders against loss caused by delinquent installments securing previously issued bonds. The legislative body may order an action brought in the superior court to foreclose such liens. (Streets and Highways Code 8770, 8830) The judgment for foreclosure may order sale of real property. If the real property does not contain a dwelling for more than four families, the judgment will direct that notice of sale be given any time after the expiration of 20 days (instead of 120 days) after the date notice of levy was served on the judgment debtor. In addition, the time for giving notice of sale is 10 days. (Street and Highways Code 8832(a)(2), GC 53356.5) The legislative body may hire a trustee to handle the foreclosure. (Streets and Highways Code 8830(b))

A judgment for sale declaring a right to redemption is barred by Yancy v. Fink 226 CA 3d 1334.

A lot or parcel of real property may not be sold unless the amount paid on the bid equals or exceeds the total of:

- The amount of the judgment with costs and interest (Streets and Highways Code 8832(b)(1))
- Costs and interest on the judgment accruing after issuance of the writ (Streets and Highways Code 8832(b)(2))
- The levying officer's costs (Streets and Highways Code 8832(b)(3))
- Any other amounts required by law (Streets and Highways Code 8832(b)(4))
- Preferred labor claims required to be satisfied from the proceeds (CCP 701.620(a)(1))
- State tax liens that are superior to the creditor's lien (CCP 701.620(a)(2))
- If the purchaser is not the judgment creditor, the amount of any deposit made pursuant to CCP 720.260 with interest at the rate on money judgments from the date of the deposit to the date of the sale (CCP 701.620(a)(3))