

**THIRD PARTY CLAIM
REQUIREMENTS
(CCP 720.130, CCP 720.230)**

THE CLAIM MUST:

- Be an original claim, together with two copies.
- Apply to property which is actually under levy at the time of receipt of the claim and before the officer does any of the following:
 - Sells the property. (If the property has already been sold, the claim would be ineffective.
 - Delivers possession of the property to the creditor (writ of possession).
 - Pays proceeds of collection to the creditor.

CONTENTS OF THE CLAIM:

- The person making the claim may not be a defendant/debtor in the action.
- The third party claim shall be signed under penalty of perjury (CCP 2015.5).
- Name of third person and an address in this state for service by mail.
- A description of the property.
- A description of the interest claimed, including a statement of the facts upon which the claim is based (CCP 720.130), or a detailed description of the security interest or lien claimed, including a statement of the facts upon which it is based (CCP 720.230).
- An estimate of the market value (CCP 720.130) or total sums due and interest (CCP 720.230).
- A copy of any writing upon which the claim is based shall be attached to the claim (CCP 720.130); and for security interests, a copy of the security agreement and any financing statement shall be attached to the third party claim. In the case of a lien, a copy of the writing upon which the claim is based shall be attached to the third party claim (CCP 720.230).