

NOTICE OF SHERIFF'S SALE

Court Case#: CIVDS2021821

Sheriff's File Levy# 24016636

Date: 12/24/2024

In Favor of: ANDOVER SQUARE HOMEOWNERS ASSOCIATION
And against: DAVID M. MARTINEZ, ET AL.

Under a Writ of Sale, issued out of the above court on 10/11/2024, on the Judgment rendered on 10/24/2021, for the sum of \$15,136.45; I have levied upon all the rights, title, claim and interest of the judgment debtor(s), DAVID M. MARTINEZ, ET AL., in the real property, in the County of San Bernardino, described as follows:

Physical Address: 703 N. DRIFTWOOD AVENUE RIALTO, CA 91376
APN(s): 0128-603-01-0000

Legal Description: LOT 1, OF TRACT NO. 12633, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 175 PAGES 87 TO 89, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

The amount of the secured indebtedness with interest and costs: \$15,564.70 (estimated)
Minimum Bid Amount (if applicable) \$0.00

THE RIGHT TO REDEMPTION IS APPLICABLE

PROSPECTIVE BIDDERS SHOULD REFER TO SECTIONS 701.510 TO 701.680 INCLUSIVE OF THE CODE OF CIVIL PROCEDURES FOR PROVISIONS GOVERNING THE TERMS, CONDITIONS AND EFFECT OF THE SALE AND THE LIABILITY OF DEFAULTING BIDDERS. (CCP 701.547)

PUBLIC NOTICE IS HEREBY GIVEN that I will proceed to sell at public auction to the highest bidder, for cash in lawful money of the United States, all the right, title, claim and interest of said judgment debtor(s) in the above-described property, or so much thereof as may be necessary to satisfy said judgment, with accrued interest and costs on:

Date and Time of Sale: 02/28/2025 at 9:00 am
at the following location:

Front Entrance of the San Bernardino County Superior Court, 351 North Arrowhead Avenue, San Bernardino CA 92415

Directions to property location may be obtained from the levying officer upon written or oral request.

Shannon D. Dicus, Sheriff

By: 
M. RADTKE, Sheriff's Authorized Agent



LIENS MAY BE PRESENT WHICH MAY OR MAY NOT SURVIVE THIS LEVY

SHANNON D. DICUS SHERIFF OF SAN BERNARDINO COUNTY

TERMS AND CONDITIONS OF SHERIFF'S SALE

1. IF YOU ARE THE HIGHEST BIDDER, YOU MUST BE PREPARED TO PAY IN CASH, CERTIFIED CHECK OR CASHIER'S CHECK. PERSONAL CHECKS, COMPANY CHECKS, TRAVELER'S CHECKS OR MONEY ORDERS ARE NOT ACCEPTABLE (701.590(A) CCP.)
2. IF YOU PAY CERTIFIED CHECK OR CASHIER'S CHECK, THE CHECK MUST BE PAYABLE TO "San Bernardino COUNTY SHERIFF." YOU MAY NOT ENDORSE A CHECK, PAYABLE TO YOU OR ANYONE ELSE OVER TO THE SHERIFF'S DEPARTMENT.
3. THE HIGHEST BIDDER MUST BE PREPARED TO PAY THE FULL AMOUNT OF HIS/HER BID AT THE TIME OF SALE WHEN:
 - a) THE BID AMOUNT ON REAL PROPERTY IS \$5,000.00 OR LESS, OR,
 - b) THE BID AMOUNT ON PERSONAL PROPERTY IS \$2,500.00 OR LESS.
4. IF THE HIGHEST BID FOR AN INTEREST IN REAL PROPERTY SOLD EXCEEDS \$5,000.00, HIGHEST BIDDER MAY ELECT TO DEPOSIT AT LEAST \$5,000.00 OR 10% OF THE BID, WHICHEVER IS GREATER AND WITHIN 10 DAYS AFTER THE DATE OF SALE, PAY THE BALANCE DUE PLUS INTEREST ON THE BALANCE AND COSTS ACCRUING WITH REGARD TO THE PROPERTY SOLD.

IF THE HIGHEST BID FOR AN ITEM, GROUP OR LOT OF PERSONAL PROPERTY SOLD EXCEEDS \$2,500.00, THE HIGHEST BIDDER MAY ELECT TO DEPOSIT AT LEAST \$2,500.00 OR 10% OF THE BID, WHICHEVER IS GREATER AND WITHIN 10 DAYS AFTER THE DATE OF SALE, PAY THE BALANCE DUE PLUS INTEREST ON THE BALANCE AND COSTS ACCRUING WITH REGARD TO THE PROPERTY SOLD.

THE HIGHEST BIDDER IS NOT ENTITLED TO POSSESSION OF THE PROPERTY SOLD UNTIL THE AMOUNT OF BID PLUS COSTS AND INTEREST HAVE BEEN PAID.

IF THE HIGHEST BIDDER DOES NOT PAY THE AMOUNT BID AS PRESCRIBED ABOVE, HE/SHE WILL FORFEIT THEIR DEPOSIT. (701.590, 701.600 CCP.)

5. THE JUDGMENT CREDITOR MAY BID AGAINST ALL OR PART OF THE JUDGMENT. HOWEVER, UNPAID LEVYING COSTS, PREFERRED LABOR CLAIMS, EXEMPT PROCEEDS AND ANY OTHER CLAIM REQUIRED TO BE SATISFIED SHALL BE PAID IN CASH OR BY CERTIFIED CHECK OR CASHIER'S CHECK. (701.590 CCP.)
6. PROSPECTIVE BIDDERS SHOULD REFER TO SECTION 701.600(C) OF THE CODE OF CIVIL PROCEDURE REGARDING THE LIABILITY OF DEFAULTING BIDDERS.
7. ANY PERSON MAY BID ON AND PURCHASE PROPERTY AT A SHERIFF'S SALE, EXCEPT EMPLOYEES OF THE San Bernardino COUNTY SHERIFF'S OFFICE AND THEIR IMMEDIATE FAMILIES.
8. DURING THE BIDDING YOU MAY BE ASKED TO QUALIFY YOURSELF AS A BIDDER. YOU WILL BE ASKED HOW YOU INTEND TO PAY FOR THE PROPERTY AND TO SHOW SOME EVIDENCE OF YOUR ABILITY TO PAY. THIS IS DONE FOR THE BENEFIT OF THE OTHER BIDDERS.
9. IF YOU ARE THE HIGHEST BIDDER, YOU MUST BE PREPARED TO DO BUSINESS IMMEDIATELY. THE AUCTIONEER WILL NOT WAIT WHILE YOU GO TO THE BANK FOR MONEY.

SALES SUBJECT TO THE RIGHT OF REDEMPTION

THE RIGHT TO REDEMPTION APPLIES ONLY TO REAL PROPERTY. WHEN AN INTEREST IN REAL PROPERTY IS SOLD SUBJECT TO THE RIGHT OF REDEMPTION, IT MEANS THAT THE DEBTOR, WHOSE INTEREST IN THE PROPERTY IS BEING SOLD, WILL HAVE A CERTAIN AMOUNT OF TIME TO REDEEM OR BUY BACK HIS/HER

PROPERTY INTEREST. IN THE MEANTIME, THE PURCHASER WILL BE ISSUED A CERTIFICATE OF SALE AND A DUPLICATED COPY OF THE CERTIFICATE WILL BE RECORDED. (729.040 CCP.) THIS CERTIFICATE DOES NOT CONSTITUTE A TRANSFER OF TITLE, BUT IT DOES GRANT THE PURCHASER CERTAIN RIGHTS (729.090 CCP.)

THE REDEMPTION PERIOD WILL DEPEND ON THE SELLING PRICE AS FOLLOWS: (709.030 CCP)

- A. **THREE MONTHS** AFTER THE DATE OF SALE IF THE PROCEEDS OF THE SALE ARE SUFFICIENT TO SATISFY THE SECURED INDEBTEDNESS WITH INTEREST AND COSTS.
- B. **ONE YEAR** AFTER THE DATE OF SALE IF THE PROCEEDS OF THE SALE ARE NOT SUFFICIENT TO SATISFY THE SECURED INDEBTEDNESS WITH INTEREST AND COSTS.

THE **REDEMPTION PRICE** IS THE TOTAL OF THE FOLLOWING:

- A. THE PURCHASE PRICE AT THE TIME OF SALE.
- B. THE AMOUNT OF ANY ASSESSMENTS OR TAXES AND REASONABLE AMOUNTS FOR FIRE INSURANCE, UPKEEP AND REPAIR OR IMPROVEMENTS ON THE PROPERTY.
- C. ANY AMOUNT PAID BY THE PURCHASER ON A PRIOR OBLIGATION SECURED BY THE PROPERTY TO THE EXTENT THAT THE PAYMENT WAS NECESSARY FOR THE PROTECTION OF THE PURCHASER'S INTEREST.
- D. INTEREST ON THE AMOUNTS DESCRIBED ABOVE FROM THE TIME SUCH AMOUNT WAS PAID UNTIL THE DATE OF THE DEPOSIT IS MADE.
- E. IF THE PURCHASER HAS ANY LIENS SUBORDINATE TO THE LIEN UNDER WHICH THE PROPERTY WAS SOLD, THE AMOUNT OF THE PURCHASER'S LIEN, PLUS INTEREST FROM THE DATE OF THE SALE UNTIL THE DATE THE DEPOSIT IS MADE.

RENTS AND PROFITS FROM THE PROPERTY PAID TO THE PURCHASER OR THE VALUE OF THE USE AND OCCUPATION OF THE PROPERTY TO THE PURCHASER MAY BE OFFSET AGAINST THE AMOUNTS DESCRIBED ABOVE. (729.060 CCP)

IF A DISPUTE SHOULD ARISE BETWEEN THE PURCHASER OF THE PROPERTY AND THE PERSON SEEKING TO REDEEM REGARDING THE REDEMPTION PRICE OR WHETHER THE PERSON IS ENTITLED TO REDEEM, THE PERSON SEEKING TO REDEEM MAY FILE A PETITION WITH THE COURT FOR A HEARING TO SETTLE THE DISPUTE. THE PETITION MUST BE FILED BEFORE THE EXPIRATION OF THE REDEMPTION PERIOD. THE LEVYING OFFICER MUST ALSO BE GIVEN WRITTEN NOTICE OF THE HEARING (729.070 CCP.)

CONCERNED PARTIES SHOULD REFER TO SECTIONS 729.010 ET SEQ. OF THE CALIFORNIA CODE OF CIVIL PROCEDURE FOR MORE DETAILED INFORMATION CONCERNING THE REDEMPTION PROCESS.

A COPY OF THIS BULLETIN CAN BE OBTAINED FROM THE SHERIFF'S DEPARTMENT

1 DANIEL MEDIONI (State Bar No. 281329)
 Dmedioni@wrslawyers.com
 2 WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
 11400 West Olympic Boulevard, 9th Floor
 3 Los Angeles, California 90064-1582
 Telephone: (310) 478-4100
 4 Facsimile: (310) 479-1422
 5 Attorneys for Plaintiff Andover Square
 Homeowners Association

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF SAN BERNARDINO
 SAN BERNARDINO DISTRICT

OCT 25 2021

BY 
 RAFAEL HERNANDEZ, DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF SAN BERNARDINO, SAN BERNARDINO DISTRICT

11 ANDOVER SQUARE HOMEOWNERS
 ASSOCIATION,
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 Plaintiff,
 13
 vs.
 14 DAVID M. MARTINEZ, an individual;
 15 and DOES 1 through 5, inclusive,
 16
 Defendant.

Case No. CIVDS2021821

Limited Civil Case

**JUDGMENT BY COURT AFTER
 DEFAULT (FORECLOSURE AND
 ORDER OF SALE)**

Trial Date: None
 Department: S16

18 Plaintiff Andover Square Homeowners Association submitted the declarations of
 19 Alex Juarez and Daniel Medioni in support of default judgment by court. It appearing that
 20 defendant David M. Martinez, having been regularly served with process, failed to appear
 21 in answer to plaintiff's complaint filed herein, and the default of said defendant having
 22 been duly entered and evidence having been introduced under California Code of Civil
 23 Procedure Section 585(d) and having been considered by this Court:

24 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

- 25 1. Plaintiff, Andover Square Homeowners Association, have judgment by
 26 default which may be enforced by foreclosure and/or money judgment against defendant
 27 David M. Martinez.
 28 2. Plaintiff recover from defendant David M. Martinez the following sums:

- 1 A. Principal in the amount of \$5,406.04, through January 1, 2021;
- 2 B. Attorney's fees in the amount of \$1,225.00;
- 3 C. Plaintiff's costs and disbursements in the amount of \$711.00; and
- 4 D. Actual costs of foreclosure and sale.

5 3. The real property hereinafter described, or as much of it as may be necessary,
6 is hereby ordered to be sold in the manner prescribed by law, and order of sale will issue to
7 the Sheriff of the County of San Bernardino, California, ordering and directing him/her to
8 conduct such sale. Any party to this action may purchase at the sale.

9 4. From the proceeds of the sale, the Sheriff shall pay to plaintiff, after
10 deducting the expenses of sale, the sum adjudged due, together with interest at the
11 maximum rate allowed by law from the date of this judgment.

12 5. If any surplus remains after making these payments, the surplus shall be paid
13 in accordance with the priority set forth in Code of Civil Procedure Section 701.810, and
14 defendant shall not receive any sum until all superior claims have been paid, including
15 plaintiff's secured claim for assessments and related charges accruing after the date of
16 judgment herein, if any.

17 6. Defendant David M. Martinez is personally liable for payment of the sum
18 secured by the notice of assessment lien for homeowners association maintenance
19 assessments and related charges, recorded with the San Bernardino County Recorder on
20 March 11, 2020, as instrument number 2020-0088438, and is a defendant against whom a
21 deficiency judgment may be ordered. The Court retains jurisdiction to determine the
22 amount of deficiency, if any.

23 7. After the time allowed by law for redemption has expired, if any, the Sheriff
24 shall execute a deed to the purchasers at the sale, who may then take possession, if
25 necessary, with the assistance of the Sheriff of the County of San Bernardino, California.

26 8. Defendant David M. Martinez and all persons claiming from and under him,
27 and all persons having any lien subsequent to the notice of assessment by any judgment on
28 the real property hereinafter described, and their personal representatives, and all persons

1 claiming to have acquired any estate or interest in the premises subsequent to the recording
2 of the notice of pendency of this action with the County Recorder, are forever barred and
3 foreclosed from all equity of redemption in and claims to the premises, and every part of
4 the premises, from and after delivery of the deed by the Sheriff.

5 9. The property which is the subject of this judgment and order is legally
6 described as:

7 Lot 1 of Tract 12633, as shown on the applicable recorded
8 Tract Map in the records of San Bernardino County, California,
9 and more particularly described on that certain grant deed recorded on March 15, 2016, as
10 instrument number 2016-0098164, which is commonly known as 703 N. Driftwood,
11 Avenue, Rialto, California 91376.

12 DATED: 10-25-2021


JUDGE OF THE SUPERIOR COURT

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THE DOCUMENT TO WHICH THIS CERTIFICATION
IS ATTACHED, CONSISTING OF PAGE(S) IS A
FULL TRUE AND CORRECT COPY OF THE ORIGINAL
ON FILE AND ON RECORD IN MY OFFICE
ATTEST

Clerk of the Superior Court of the State of California
in and for the County of San Bernardino
Date _____
By _____



Legal Description: Lot 1 of Tract 12633 as shown on the applicable recorded Tract Map in the records of San Bernardino County, California, and more particularly described on that certain grant deed recorded on March 15, 2016, as instrument number 2016-0098164, which is commonly known as 703 N. Driftwood Avenue, Rialto, California 91376.

APN: 0128-603-01

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO. 281329
 NAME DANIEL MEDIONI
 FIRM NAME: WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP
 STREET ADDRESS: 11400 West Olympic Boulevard, Ninth Floor
 CITY: LOS ANGELES STATE: CA ZIP CODE: 90064
 TELEPHONE NO.: (310) 478-4100 FAX NO. (310) 479-1422
 EMAIL ADDRESS: dmedioni@wrslawyers.com
 ATTORNEY FOR (name) Plaintiff Andover Square Homeowners Association
 ATTORNEY FOR ORIGINAL JUDGMENT CREDITOR ASSIGNEE OF RECORD

COURT SERVICES
 CENTRAL DIVISION
 24 OCT 31 AM 8:56
 SAN BERNARDINO CO.
 SHERIFF

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
 STREET ADDRESS: 247 West Third Street
 MAILING ADDRESS: 247 West Third Street
 CITY AND ZIP CODE: San Bernardino, 92415-0210
 BRANCH NAME: San Bernardino District - Civil Division

PLAINTIFF/PETITIONER: Andover Square Homeowners Association
 DEFENDANT/RESPONDENT: David M. Martinez, et al.

CASE NUMBER:
 CIVDS2021821

EXECUTION (Money Judgment)
 WRIT OF POSSESSION OF Personal Property
 SALE Real Property

Limited Civil Case (including Small Claims)
 Unlimited Civil Case (including Family and Probate)

- To the Sheriff or Marshal of the County of: San Bernardino
 You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
- To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.
- (Name): Plaintiff Andover Square Homeowners Association
 is the original judgment creditor assignee of record whose address is shown on this form above the court's name.

4. Judgment debtor (name, type of legal entity if not a natural person, and last known address):

- Writ of Possession/Writ of Sale information on next page.
- This writ is issued on a sister-state judgment.

For items 11-17, see form MC-012 and form MC-013-INFO.

David M. Martinez
 703 N. Driftwood, Avenue
 Rialto, California 91376
 Additional judgment debtors on next page

11. Total judgment (as entered or renewed)	\$	7,342.04
12. Costs after judgment (CCP 685.090)	\$	5,762.50
13. Subtotal (add 11 and 12)	\$	13,104.54
14. Credits to principal (after credit to interest)	\$	0.00
15. Principal remaining due (subtract 14 from 13)	\$	13,104.54
16. Accrued interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees)	\$	1,991.91
17. Fee for issuance of writ (per GC 70626(a)(l))	\$	40.00
18. Total amount due (add 15, 16, and 17)	\$	15,136.45

5. Judgment entered on (date): October 25, 2021
 (See type of judgment in item 22.)

6. Judgment renewed on (dates):

- Levying officer:
 - Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$ 3.59
 - Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(j)) \$ 0.00

- Notice of sale under this writ:
 - has not been requested.
 - has been requested (see next page).
- Joint debtor information on next page.

20. The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.



Date: OCT 11 2024 Clerk, by Elda Ramirez, Deputy
 Elda Ramirez

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

Plaintiff/Petitioner: Andover Square Homeowners Association	CASE NUMBER:
Defendant/Respondent: David M. Martinez, et al.	CIVDS2021821

21. Additional judgment debtor(s) (name, type of legal entity if not a natural person, and last known address):

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

22. The judgment is for (check one):

- a. wages owed.
- b. child support or spousal support.
- c. other.

23. Notice of sale has been requested by (name and address):

Andover Square Homeowners Association	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c/o Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11400 West Olympic Boulevard, 9th Floor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Los Angeles, CA 90064	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

24. Joint debtor was declared bound by the judgment (CCP 989-994)

- a. on (date):
- b. name, type of legal entity if not a natural person, and last known address of joint debtor:
- a. on (date):
- b. name, type of legal entity if not a natural person, and last known address of joint debtor:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

c. Additional costs against certain joint debtors are itemized: below on Attachment 24c.

25. (Writ of Possession or Writ of Sale) Judgment was entered for the following:

- a. Possession of real property: The complaint was filed on (date):
(Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)
 - (1) The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
 - (2) The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.
 - (3) The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a Claim of Right to Possession at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a Prejudgment Claim of Right to Possession was served.) (See CCP 415.46 and 1174.3(a)(2).)
 - (4) If the unlawful detainer resulted from a foreclosure (item 25a(3)), or if the Prejudgment Claim of Right to Possession was not served in compliance with CCP 415.46 (item 25a(2)), answer the following:
 - (a) The daily rental value on the date the complaint was filed was \$
 - (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):

Item 25 continued on next page

Plaintiff/Petitioner: Andover Square Homeowners Association
 Defendant/Respondent: David M. Martinez, et al.

CASE NUMBER:
 CIVDS2021821

25. b. Possession of personal property.
 If delivery cannot be had, then for the value (*itemize in 25e*) specified in the judgment or supplemental order.
- c. Sale of personal property.
- d. Sale of real property.
- e. The property is described below on Attachment 25e.
 Lot 1 of Tract 12633, as shown on the applicable recorded Tract Map in the records of San Bernardino County, California, and more particularly described on that certain grant deed recorded on March 15, 2016, as instrument number 2016-0098164, which is commonly known as 703 N. Driftwood, Avenue, Rialto, California 91376.

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

