

## Personal Property Requirements:

- 1) Description(s), model number(s), serial number(s) and/or vin number(s);
- 2) Physical location of the property.
- 3) Type of Writ and special requirements:
  - A. Writ of Possession from a pre-judgment order:
    - a. You **MUST** include a copy of the written undertaking (surety bond) obtained at the court.
    - b. The property will be held in licensed, bonded storage for five (5) business days after the defendant is served with the writ of possession and the written undertaking. See Idaho Code § 8-306 regarding defendant's remedies.
    - c. Requires a deposit for Sheriff's fee, towing and storage.
  - B. Writ of Possession from a judgment after the court hearing and have been awarded property in your judgment:
    - a. **Returning property that was originally yours.**
    - b. A Sheriff's deputy will contact you to make arrangements for you to meet with them to take possession of your property.
    - c. Sheriff's fee of \$195.00.
  - C. Writ of Execution from a money judgment:
    - a. Once the property is attached, it **MUST** be held for the fourteen (14) day claim of exemption period, per Idaho Code §11-203; unless the defendant pays the debt in full to retrieve their property.
    - b. If a claim of exemption is entered by the defendant and the plaintiff files to contest their claim of exemption, then the property is held until after the hearing and the Judge issues an order instructing the Sheriff to return the property to the defendant or to proceed with the Sheriff's Sale.
    - c. Requires a deposit for Sheriff's fees (attachment and sale), towing and storage (if applicable).
    - d. For vehicle(s) a title inquiry(s), UCC Lien search(es) from [www.accessidaho.org](http://www.accessidaho.org) and a **deposit of at least \$2,500.00 (effective 10/1/16) for towing, storage, and costs (call for more information on deposits for other personal property)**
- 4) Sheriff's Letter of instruction for Personal Property.
- 5) Original Writ or E-Filed Writ and two (2) copies.
- 6) One copy of the judgment and all renewals. See Administrative Judge's Order.
- 7) One copy of the Instruction to Debtors & 3<sup>rd</sup> Parties & Claim of Exemption.