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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 6@ Enforcement Actions

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Subchapter 6.1@ Immediate Enforcement Actions

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Article 3@ Real Property Liens

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Section 116134@ Releasing Real Property Liens

## **116134 Releasing Real Property Liens**

A local child support agency shall release real property liens by preparing and providing to the obligor the Release of Judgment Lien, Form CA 8581 (New July 1, 2003), to be recorded by the obligor with the county recorder, or a local child support agency shall release real property liens by recording the Release of Judgment Lien with the county recorder. A local child support agency shall process the release of real property liens in the following situations:

### **(a)**

When a written demand is received from a property owner for a recordable document releasing the lien and proof is provided by the property owner to the satisfaction of the local child support agency that the property upon which the lien has been created is owned by a person who is not the obligor but has the same or similar name as the obligor. Within 15 days of receipt of such written demand and proof, a local child support agency shall record a Release of Judgment Lien indicating a general release of lien.

### **(b)**

When a court order has been received by a local child support agency to prepare and deliver to the property owner a recordable document releasing the lien, unless such order has been appealed and the action ordered is stayed pending the appeal. A Release of Judgment Lien indicating a general release of lien shall be prepared and delivered within the time frames established by the court order or

within 15 days from receipt of the court order, whichever is less.

**(c)**

When a local child support agency has determined all of the support arrears for which the local child support agency provided enforcement services have been paid in full. Within five days of making the determination that the case should be closed because all support has been paid, a local child support agency shall prepare and deliver to the obligor a Release of Judgment Lien indicating a general release of lien.

**(d)**

When a request is received from a representative of a title and/or escrow company or the obligor and the support arrears for which the local child support agency provided enforcement services have been paid in full. Within five days of the request, a local child support agency shall prepare and deliver to the requesting party, a Release of Judgment Lien indicating a specific property release of lien.