

**STOP PAYMENT NOTICE – PRIVATE WORKS
LEGAL NOTICE TO WITHHOLD CONSTRUCTION FUNDS**

Civil Code §§ 8044, 8100, et seq., and 8500, et seq.

Claimant:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

To Owner or Reputed Owner:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

The name of the person or firm to whom labor, materials and equipment are provided:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

To Contractor or Reputed Contractor:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

To Construction Lender or Reputed Construction Lender:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

General description of the labor, service, equipment, or materials furnished or to be furnished and an estimate of the total price thereof:

Project Name: _____

Address: _____

Lot/Subdivision: _____

Total value of the whole amount of labor, services equipment and/or materials agreed to be furnished is: \$ _____

The value of the labor and materials furnished to date is: \$ _____

Claimant has been paid the sum of: \$ _____

There is a due, owing and unpaid sum after deducting credits and offsets of: \$ _____

Together with interest at the rate of _____ % per annum, from _____ (date).

PURSUANT TO CALIFORNIA CIVIL CODE §§ 8522 AND 8536, YOU ARE REQUIRED TO SET ASIDE SUFFICIENT FUNDS TO SATISFY THIS CLAIM WITH INTEREST, COURT COSTS AND REASONABLE COSTS OF LITIGATION, AS PROVIDED BY LAW. YOU ARE ALSO NOTIFIED THAT CLAIMANT CLAIMS AN EQUITABLE LIEN AGAINST ANY CONSTRUCTION FUNDS FOR THIS PROJECT WHICH ARE IN YOUR HANDS.

Dated: _____.

By: _____

Name/Title _____

VERIFICATION

I, _____ the undersigned, state I am the Claimant or authorized officer for the Claimant named in the foregoing Stop Notice. I have read said Stop Payment Notice – Private Works and know the contents thereof, and I certify that the same is true of my own knowledge. I am authorized to execute this Stop Payment Notice – Private Works.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this _____ day of _____, at _____, California

Name/Title _____

PROOF OF SERVICE DECLARATION

Civil Code §§ 8117 and 8118

I, _____, declare that I am over the age of eighteen years and served copies of the STOP PAYMENT NOTICE – PRIVATE WORKS

- (a) **BY PERSONALLY DELIVERING** a copy to the office/residence of the person(s) listed above on _____, _____ (date) at _____ .m. (time):
- (b) **BY MAILING** a copy to the office/residence of the person(s) listed above on _____, _____ (date) at _____ .m. (time) by:
First Class United States Mail, registered certified return receipt requested express mail (mark one); or
Overnight/Express delivery via _____ (express carrier)
- (c) **BY LEAVING** a copy with _____ (name) at
Address: _____ City: _____ State: _____ Zip: _____
on _____, _____ (date) at _____ .m. (time) and MAILING a copy as indicated in part (b) above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, _____, at _____, California.

(Signature of Person Serving Document)