

**STOP PAYMENT NOTICE ò PUBLIC WORKS
LEGAL NOTICE TO WITHHOLD CONSTRUCTION FUNDS**

(CA CIVIL CODE §§ 8044, 9350 et seq.)

TO: PUBLIC ENTITY (CA Civ. Code §§ 8036, 9354) DIRECT CONTRACTOR (CA Civ. Code § 8018) CONSTRUCTION LENDER, if any (CA Civ. Code § 8006)

NAME: _____
ADDRESS: _____

YOU ARE HEREBY NOTIFIED THAT (Claimant):

Name (Use correct legal name): _____

Address: _____

Relationship to the parties of the one giving this notice (subcontractor, supplier, describe if otherwise): _____

HAS FURNISHED WORK, LABOR, SERVICES, EQUIPMENT OR MATERIAL OF THE FOLLOWING GENERAL DESCRIPTION:

FOR THE BUILDING, STRUCTURE OR OTHER WORK OF IMPROVEMENT LOCATED AT THE FOLLOWING ADDRESS OR SITE OTHERWISE DESCRIBED SUFFICIENTLY FOR IDENTIFICATION:

Address: _____

or Description: _____

THE PERSON OR FIRM TO WHOM SUCH WORK, LABOR, SERVICES, EQUIPMENT OR MATERIAL IS PROVIDED:

Name: _____

Address: _____

THE VALUE OF THE WHOLE AMOUNT OF WORK, LABOR, SERVICES, EQUIPMENT AND/OR MATERIALS TO BE PROVIDED IS:

Amount:\$ _____

THE VALUE OF WORK, LABOR, SERVICES, EQUIPMENT OR MATERIAL PROVIDED TO DATE IS:

Amount:\$ _____

**CLAIMANT HAS BEEN PAID THE SUM OF \$ _____,
AND THERE REMAINS UNPAID AFTER DEDUCTING ALL JUST CREDITS AND OFFSETS THE SUM OF \$ _____,
TOGETHER WITH INTEREST AT THE RATE OF _____% PER ANNUM, FROM _____, _____ (date).**

UNDER CALIFORNIA CIVIL CODE § 9358 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.

DATE: _____ **NAME OF CLAIMANT:** _____
(Firm Name)

BY: _____
(Signature of Claimant or Authorized Agent)

VERIFICATION

I, _____, state: I am the _____ (Owner of, President of, Authorized Agent of, Partner of, etc.) the claimant named in the foregoing STOP PAYMENT NOTICE – PUBLIC WORKS. I have read said STOP PAYMENT NOTICE – PUBLIC WORKS and know the contents thereof; the same is true of my own knowledge.

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

Executed on _____, _____ (date), at _____ (City), _____ (State).

(Signature of Claimant or Authorized Agent)

PROOF OF SERVICE DECLARATION

(CA Civil Code §§ 8100-8118)

I, _____, declare that I served copies of the above **STOP PAYMENT NOTICE – PUBLIC WORKS**, (check appropriate box):

- a. By personally delivering copies to _____ (name(s) and title(s) of person served) at _____ (address), on _____, _____ (date), at _____, _____ .m. (time)
- b. By Registered or Certified Mail, Express Mail or Overnight Delivery by an express service carrier, addressed to each of the parties at the address shown above on _____, _____ (date).
- c. By leaving the notice and mailing a copy in the manner provided in § 415.20 of the California Code of Civil Procedure for service of Summons and Complaint in a Civil Action.

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

Executed on _____, _____ (date), at _____ (City), _____ (State).

(Signature of Person Making Service)