In the Court of Common Pleas of Beaver County, Pennsylvania
Civil Action Law
Wage Attachment, Residential Leasehold

_____

_____
Plaintiff,

-vs- **No.** _____

_____

_____
Defendant,

Praecipe for Notice of Intent to Attach Wages

To the Prothonotary:
Issue a Notice of Intent to Attach Wages in the above matter

(1) against _____, Defendant,

(2) against _____, Employer of Defendant.

Date: _____

_____
Attorney for Judgment Creditor-
Landlord or Judgment Creditor-
Landlord if unrepresented

_____

_____
Address

_____
Telephone Number

Certification by Judgment Creditor-Landlord

I Certify that

1. The Plaintiff judgment-creditor is _____
   Name

   _____

   _____
   Address

2. The defendant judgment-debtor is _____
   Name

   _____

   _____
   Address

3. The Employer garnishee is _____
   Name

   _____

   _____
   Address

4. The Judgment arises out of a residential lease for the premises at _____(address).

5. (a) The amount of the judgment is $_____.

   (b) A Security deposit in the amount of $_____ is being held by the judgment creditor-landlord. This security deposit
   _____ has been applied (check one)
   _____ has not been applied (check one)
   to payment of rent due on the same premises for which the judgment has been entered.

   (Any security deposit that has not already been applied to rent will be deducted by the Prothonotary from the amount of the judgment in determining the amount to be attached.)

   (c) The amount of $_____ has been paid toward satisfaction of the judgment. (Do not include the security deposit.)

6. This praecipe is filed within five years of the date of the original judgment upon which execution is sought.

7. The judgment was entered (check one):

   _____ in a civil action commenced in the court of common pleas

   _____ in an action brought before a magisterial district judge.

   _____ in an action commenced in the Philadelphia Municipal Court.

8. Check the appropriate paragraph and attach the required documents:

   ___(a) if the judgment was entered in a civil action (Pa.R.C.P.M.D.J. 301 et seq.) before a magisterial district judge, a copy of the complaint filed with the magisterial district judge is attached to this Notice, showing that the action arose from a residential lease.

   ___(b) If the judgment was entered in an action for the recovery of possession of real property (Pa.R.C.P.M.D.J. 501 et seq.) before a magisterial district judge, copies of the appropriate magisterial district judge records are attached showing that the action arose from a residential lease and that the defendant appeared or filed papers in the action or that the complaint was served by handing a copy to the defendant.

   ___(c) If the judgment was entered in an action in the Philadelphia Municipal Court in which the defendant was served Pursuant to Phila.M.C.R.Civ.P. No. 111(A) or (C), a copy Of the complaint filed with the Philadelphia Municipal Court is attached to this Notice, showing that the action Arose from a residential lease.

   ___(d) If the judgment was entered in an action in the Philadelphia Municipal Court in which the defendant was served Pursuant to Phila.M.C.R.Civ.P. No. 111(B), copies of the Appropriate Philadelphia Municipal Court records are Attached showing that the action arose from a residential Lease and that the defendant appeared or filed papers in The action.

I certify that the statements made in this Certification are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

_____
Judgment Creditor-Landlord

In the Court of Common Pleas, Beaver County, Pennsylvania
Civil Action Law
Wage Attachment, Residential Leasehold

Plaintiff,

-vs- No.

Defendant,

Notice of Intent to Attach Wages, Salary or Commissions

Date of Service of this Notice: _____ (Date to be inserted by Sheriff)

A judgment has been entered against you in court for nonpayment of rent, for, or damage to, residential property that you rented. The judgment creditor-landlord has begun proceedings to attach 10% of you net wages, salary or commissions for each pay period until the judgment is satisfied.

The following exception will prevent your wages from being attached:

Poverty Guidelines – Your wages may not be attached if your net income is Below the poverty income guidelines as provided annually by the Federal Department of Health and Human Services or if the amount of the attachment would cause your net income to fall below the poverty income guidelines. A copy of the guidelines is attached to this notice.

If this exemption is applicable to you, you must return the claim for exemption of wages which is attached to the Prothonotary within 30 days of the date of service of this notice upon you. The date of service of this notice is set forth above. If you return the form claiming this exemption within 30 days, your wages will not be attached without subsequent court proceedings.

There may be other legal grounds for opposing the wage attachment that you may be able to raise by filing a motion with the court. For example, your wages may not be attached if you are an abused person or victim as set forth in Section 8127(f) of the Judicial Code when the attachment is to satisfy a judgment for physical damages to the leased premises.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service
Beaver County Bar Association
788 Turnpike Street
Beaver, PA 15009
724-728-4888

In the Court of Common Pleas, Beaver County, Pennsylvania
Civil Action Law
Wage Attachment, Residential Leasehold

Plaintiff,

-vs- No.

Defendant,

CLAIM FOR EXEMPTION FROM WAGE ATTACHMENT

Notice

This Claim for Exemption must be filed with the Prothonotary Of the Court within 30 days of service upon you of the Notice Of Intent to Attach Wages.

To the Prothonotary:

I, the above-named defendant, claim exemption of my wages, salary or commissions from attachment of the following ground:

_____ M y net monthly income is below the poverty income guidelines as provided by the Federal Department of Health and Human Services.

OR

_____ The amount of wa ges to be attached would place my net income

below the poverty income guidelines as provided annually by the Federal Department of Health and Human Services.

I have _____ dependents.
(Number)

My net monthly income is $ _____.
(Net monthly income is your total monthly wages less (1) any support payments made to the court, (2) federal, state and local income taxes, (3) F.I.C.A. payments and nonvoluntary retirement payments. (4) union dues and (5) health insurance premiums.)

I certify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____ _____
Defendant

This claim shall be delivered or mailed to:

Office of the Prothonotary
Court of Common Pleas of Beaver County
810 Third Street
Beaver, PA 15009
724-728-5700

IN FORMA PAUPERIS PETITION & ORDER

MUST BE ACCOMPANIED BY VERIFICATION OF INCOME OR PUBLIC ASSISTANCE.

(Bring a photocopy of your proof of income)

1.) A Petition for In Forma Pauperis status must be accompanied by either:

a.) Certification from Neighborhood Legal Services (as per local rule), or

b.) Verification of the income/financial status of the parties (i.e. W-2, pay stub, proof of public assistance, EBT/ACCESS card, etc.)

2.) The Petition will be reviewed by the Law Clerk who will determine if the appropriate information has been supplied.

3.) The judge will review the Petition and either:

a.) Make a determination, or

b.) Require more documentation, or

c.) Conduct an on the record interview of the party prior to making a decision.

2019 FEDERAL POVERTY GUIDELINE

Persons in family/household	Annual	Monthly
1	$12,490	$1,041.00
2	$16,910	$1,409.00
3	$21,330	$1,778.00
4	$25,750	$2,146.00
5	$30,170	$2,514.00
6	$34,590	$2,883.00
7	$39,010	$3,251.00
8	$43,430	$3,619.00

SOURCE: *Department of Health and Human Services, January 11, 2019*

For families/households with more than 8 persons, add $4,420 for each additional person.

In the Court of Common Pleas of Beaver County, Pennsylvania
Civil Action Law
Wage Attachment, Residential Leasehold

_____

_____
Plaintiff(s),

-vs- **No.** _____

_____

_____
Defendant(s),

Praecipe for Issuance of Writ for Wage Attachment Re Residential Leasehold

To the Prothonotary:
Issue a Writ of Attachment in the above matter:

1. Against _____, Defendant(s),
2. Directed to _____, Employer of Defendant whose

address is:
_____.

3. The total amount to be attached is $_____.
4. MORE THAN 30 DAYS HAVE PASSED SINCE THE DEFENDANT(S) WERE SERVED WITH A NOTICE OF INTENT TO ATTACH WAGES IN THIS MATTER.

Date: _____

_____
Attorney for Judgment Creditor-Landlord or Judgment Creditor-Landlord if unrepresented

_____
_____
Address

_____
Telephone Number

IN THE COURT OF COMMON PLEAS OF Beaver COUNTY, PENNSYLVANIA

CIVIL DIVISION

vs. : File No. _____

PRAECIPE AND POWER OF ATTORNEY FOR SATISFACTION AND/OR TERMINATION

TO THE PROTHONOTARY/CLERK OF SAID COURT:

You are hereby authorized, empowered, and directed to enter, as indicated, the following on the records thereof:

A.1. ____ The within suit is Settled, Discontinued, Ended and costs paid.

2. ____ The within suit is Settled, Discontinued, Ended WITH Prejudice and costs paid.

3. ____ The within suit is Settled, Discontinued, Ended WITHOUT Prejudice and costs paid.

* * * * *

B.1. ____ Satisfaction of the Award in the within suit is acknowledged.

2. ____ Satisfaction of Judgment, with interest and costs, in the within matter is acknowledged.

* * * * *

C. ____ Other:

Date: _____

WITNESS (if signer is other than a registered attorney):

_____
Attorney or Notary

_____
Signature of authorizing party

_____
Type or print name of above signer

COST PAYMENT VERIFICATION

I UNDERSTAND THAT THE ABOVE ACTION CANNOT BE FILED AND DOCKETED UNTIL ALL COSTS HAVE BEEN PAID, INCLUDING SHERIFF'S COSTS; AND HEREBY VERIFY THAT ALL COSTS HAVE BEEN PAID. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa.C.S.A. § 4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

_____
Signature

When filing the attached **Praecipe for Notice of Intent to Attach Wages**, please follow the steps below:

1. File the **Praecipe for Notice of Intent to Attach Wages** at the Prothonotary's Office which will cost $138.00.
2. You will then need to take **The Notice of Intent to Attach Wages, Salary or Commissions form and the Claim for Exemption from Wage Attachments** form down to the Sheriff's Office for service.
3. You will then need to wait thirty (30) days after the defendant(s) has been served and file the **Praecipe for Issuance of Writ for Wage Attachment Re Residential Leasehold** with the Prothonotary's Office.
4. The **Praecipe and Power of Attorney for Satisfaction and/or Termination** page gets filed with the Prothonotary's Office when all monies have been paid in full. The filing fee is $11.50.