

**IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION – CIVIL**

_____ : _____ Term, _____
: :
_____ : No. _____
Plaintiff(s) :
Vs. :
: :
_____ :
: :
_____ :
Defendant(s) :

PRAECIPE FOR NOTICE OF INTENT TO ATTACH WAGES

To the Office of Judicial Records:

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

1. Against _____, defendant.
2. Against _____, employer of the defendant.

Date: _____

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

Certification by Judgment Creditor - Landlord

I certify that:

1. The plaintiff judgment-creditor is _____
Name

Address
2. The defendant judgment-creditor is _____
Name

Address

3. The Employer garnishee is _____
Name

Address

4. The judgment arises out of a residential lease for the premises at:

(Address)

- a. The amount of the judgment is \$ _____
- b. A security deposit in the amount of \$ _____ is being held by the judgment deposit creditor-landlord. This security deposit _____ **have been applied** _____ **have not been applied** 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 Office of Judicial Records from the amount of the judgment in determining the amount to be attached) The amount of \$ _____ has been paid toward satisfaction of the judgment. (Do not include security deposit)

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

6. 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 Justice.
- _____ in an action commenced in the Philadelphia Municipal Court.

7. 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 301 et seq.) before a magisterial district judge, copies of the appropriate magisterial district judge records are attached showing that the action rose from a residential lease and that the defendant appeared or filed papers in the action or that the complaint was served by handling 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 if 18 Pa.C.S.*4904 relating to unsworn falsification to authorities.

Date: _____

Judgment Creditor-Landlord

**IN THE COURT OF COMMON PLEAS
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	:	Term, _____
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Plaintiff(s)	:	
Vs.	:	
	:	
	:	
	:	
	:	
Defendant(s)	:	

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 for nonpayment of rent for or damage to, residential property that you rented. The judgment creditor-landlord has begun proceedings to attach 10% of your 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 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 Office of Judicial Records 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 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 Reference Service
Philadelphia Bar Association
One Reading Center
Philadelphia, PA 19107
(215) 238 – 6333
TTY (215) 451 - 6197

The claim for exemption from wage attachment shall be substantially in the following form:

**IN THE COURT OF COMMON PLEAS
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Vs.	:	
	:	
	:	
	:	
	:	
Defendant(s)	:	

CLAIM FOR EXEMPTION FROM WAGE ATTACHMENT

Notice

This Claim for Exemption must be filed with the Office of
Judicial Records, of the Court within 30 days of service
Upon You of the Notice of Intent to Attach Wages.

To the Office of Judicial Records:

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

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

_____ The amount of wages 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 non-voluntary 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 Judicial Records
Civil Filing Center
Room 296, City Hall
Philadelphia, PA 19107**

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	:	
	:	
	:	
Defendant(s)	:	

NOTICE OF CLAIM EXEMPTION OF WAGES FROM ATTACHMENT

To the above-named plaintiff:

The defendant in the above-captioned matter has filed a claim for exemption from attachment of his or her wages, salary or commissions. A copy of this claim is attached. If you wish to challenge the claim for exemption, you should file with the court a motion setting forth facts which show the defendant's net income is not below the Federal Department of Health and Human Services poverty income guidelines or that the attachment will not cause the defendant's income to fall below those poverty income guidelines.

Date: _____

Office of Judicial Records