

6-20/540.40 Security Interest

An unperfected security interest is subordinate to the rights of a judgment creditor who had levied on the property. ([Mirolla v. Mendez, 111 CA 3d 519](#)) If the property is in the custody of the levying officer, and the security interest has priority, the secured party is liable for any proceeds received by the secured party to the extent of the execution lien. Excess property or proceeds must be delivered to the levying officer for the purposes of the levy unless otherwise order by the court or directed by the levying officer. ([CCP 701.040](#))
