6-21/430.00 Redelivery Bond

Except as required by court order or pursuant to a third party claim, the levying officer shall only redeliver the property to the defendant after the levying officer has received a notice of the filing of an undertaking for redelivery by the defendant within 10 days after the levy, and the plaintiff does not file a timely objection thereto.

Since the plaintiff's objection must be filed with the court within 10 days of the date the defendant filed the undertaking with the court, and a copy of the objection is only required to be mailed to the levying officer within that time, the levying officer should allow for an additional time to receive a notice of objection that may have been timely filed and mailed. As a consequence, absent receipt of the notice of objection, the property should not be redelivered until 15 days have elapsed from the defendant's filing of an undertaking for redelivery, unless the officer has independent knowledge that the notice of objection was in fact not filed within the 10 days, in which case the property should be redelivered at the expiration of the 10 days.

(CCP 514.030)