

## 6-31/320.20 Claim of Ownership or Right to Possession

Within five days after the third-party claim is filed with the levying officer, the levying officer shall provide the creditor ([CCP 720.140\(a\)](#)):

1. A copy of the third-party claim ([CCP 720.140\(a\)\(1\)](#))
2. A statement whether the third person has filed an undertaking to release the property pursuant to [Chapter 6](#) ([CCP 720.140\(a\)\(2\)](#))
3. If the third person has filed an undertaking to release the property, a notice that the property will be released unless, within the time allowed as specified in the notice, the creditor objects to the undertaking ([CCP 720.140\(a\)\(3\)](#))
  - a. The levying officer shall provide a copy of the undertaking ([CCP 720.640\(a\)](#))
4. If the third person has not filed an undertaking to release the property, a notice that the property will be released unless, within the time allowed as specified in the notice, the creditor files with the levying officer an undertaking under CCP 720.160 ([CCP 720.140\(a\)\(4\)](#))

The time allowed the creditor for objecting to the third person's undertaking to release the property or for filing an undertaking is 10 days after notice is served. ([CCP 720.140\(b\)](#)) If the notice is served by mail, the appropriate time is extended:

- Five days if the place of address is within the State of California ([CCP 684.120\(b\)\(1\)](#))
- Ten days if the place of address is outside the State of California but within the United States ([CCP 684.120\(b\)\(2\)](#))
- Twenty days if the place of address is outside the United States ([CCP 684.120\(b\)\(3\)](#))

Within the time allowed for service on the creditor, the levying officer shall provide all of the above to the debtor. ([CCP 720.140\(c\)](#))

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