6-31/400.00 Continuation of the Levy

Claim for Ownership or Possession

In the case of a third party claim for ownership or possession, if the creditor files with the levying officer an undertaking within the time allowed, the levying officer shall execute the writ in the manner provided by law unless the third person files an undertaking to release the property. (CCP 720.160(a)(1))

Claim of Security Interest or Lien

In the case of a third party claim of security interest or lien, the levying officer shall execute the writ in the manner provided by law unless the third person files an undertaking to release the property. (CCP 720.260(a)(1)) if the creditor files with the levying officer within the time allowed all of the following:

- an undertaking (CCP 720.280) and
- a statement executed under oath that the security interest is invalid, that the security interest is not entitled to priority over the creditor's lien, or that the amount demanded in the claim exceeds the amount to which the secured party is entitled, for the reasons specified therein (CCP 720.280(a))

or

- Deposits with the levying officer the amount claimed plus interest at the applicable rate to the estimated date of tender to the secured party or lienholder (CCP 720.240(a)(4)(B))