

STEP BY STEP GUIDE TO APPLY FOR A COURT ORDERED TITLE

Step	Where To Go	What Is Needed
<p>Step One: <i>Visit a Clerk of Courts Title office to obtain a court order packet and request a lien holder record search.</i></p>	<p>Highland County Clerk of Courts Title Office 1575 N. High St. Hillsboro, Ohio 45133 937-393-9958</p>	<ul style="list-style-type: none"> • Inquire about applicable lien holder information for the vehicle being petitioned. (Denial Notice Form in packet) • Please retain denial notice form to file with your petition as a necessary exhibit.
<p>Step Two: Vehicle Owner Record Search</p>	<p>OBMV Record Request Form - BMV 1173 included in this packet. For more information see State of Ohio BMV Registrar's website www.bmv.ohio.gov</p>	<ul style="list-style-type: none"> • Fee: A \$5.00 record search fee will apply for each title record search. • Complete BMV 1173 form and check the box "last known address" for the vehicle owner and submit the form to the BMV using the instructions provided on the form. The BMV will mail a BMV 2433 form to you containing the results of the record search. • BMV 1173 form is included in this packet • Please allow at least 15 business days for processing. • Please retain BMV 2433 form sent back to you from the BMV to file with your Application to the Court as a necessary exhibit.
<p>Step Three: Certified Mail Notifications- Mail a certified letter to current owner and lien holder notifying them of your intention to petition the court for a certificate of title.</p>	<ul style="list-style-type: none"> • Visit www.usps.gov for information about the U.S. Post Office. 	<ul style="list-style-type: none"> • Mail a certified letter to the vehicle owner(s) and lien holder(s) using information provided by the BMV and Clerk of Courts offices notifying them of your intention to petition the Court for a certificate of title. • Please retain copies of the letters mailed as well as the returned certified mail receipts to file with your Application as a necessary exhibit. • Please allow 15 days from the date of mailing for appropriate parties to respond back to you.

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<p>Step Four: Obtain Ohio State Highway Patrol (OSHP) Inspection Receipt</p>	<p>BMV Deputy Registrar's Office 937-393-3991 •Visit www.bmv.ohio.gov for a list of BMV locations.</p>	<p>•Fee: A \$53.50. •Visit your local BMV Deputy Registrar's office to purchase an OSHP Inspection Receipt (BMV 106 form).</p>
<p>Step Five: Schedule your OSHP Inspection (See list of OSHP locations in this packet)</p>	<p>Ohio State Highway Patrol •Columbus District Office 1583 Alum Creek Drive Columbus, OH 43209 614-644-1667 https://ext.dps.state.oh.us/SalvageInspectionAppointment/Pages/Public/Home.aspx</p>	<p>•Retain the OSHP Inspection Form (BMV 106) you are given to submit with your Application to the Court.</p>
<p>Step Six: File your petition/affidavit and Judgment Entry with the Highland County Court of Common Pleas</p>	<p>Highland County Clerk of Courts Legal Department 105 N. High St. Hillsboro, Ohio 45133 937-393-9957</p>	<p>•Fee: \$200.00 (After approval or denial, court costs will be figured and applied from the deposit money and any overage will be returned to you). •Submit an original and two copies of the following: 1-Completed and notarized "Application for Order to Issue Certificate of Title" 2-Completed and unsigned Journal Entry 3-Copies of certified mail notifications and receipts 4-BMV 2433 form 5-BMV 106 form 6- Any and all relevant documentation to support ownership attached to the application.</p>
<p>Step Seven: Appear before the Common Pleas Court Judge</p>	<p>Highland County Common Pleas Court (Second Floor) 105 N. High St. Hillsboro, Ohio 45133 937-393-9957</p>	<p>•After you file the petition and supporting evidence, an oral hearing <u>may</u> be set for the Judge to consider your documents. If granted, the Judge will sign the Entry and file it with the Clerk of Courts Legal Office</p>
<p>Step Eight: Return to the Clerk of Courts Title Office to make an application for certificate of title</p>	<p>Highland County Clerk of Courts Title Office 1575 N. High St. Hillsboro, Ohio 45133 937-393-9958</p>	<p>1-Once filed, you will be mailed a certified copy of the Journal Entry 2-Take the certified copy of the Journal Entry, verification of the mileage and a valid photo ID to the Title Office to apply for your certificate of title. Title fees and applicable sales taxes apply.</p>

APPLICATION GUIDE FOR A COURT ORDERED MOTOR VEHICLE CERTIFICATE OF TITLE

PLEASE RECOGNIZE THAT THERE CAN BE NO ASSURANCE THAT A COURT ORDER DIRECTING ISSUANCE OF A MOTOR VEHICLE CERTIFICATE OF TITLE WILL BE GRANTED. THE DECISION DEPENDS ON THE COURT FINDING THAT YOU HAVE PRESENTED SUFFICIENT EVIDENCE TO ESTABLISH YOUR CLAIM THAT YOU ARE ENTITLED TO POSSESSION AND OWNERSHIP OF THE SUBJECT MOTOR VEHICLE(S).

This form is to be used only if the applicant is a resident of Highland County.

This guide for obtaining a court ordered title has been compiled for purposes of example only. It is intended to provide a summary as we are not authorized to provide legal advice to petitioners.

Requesting the Court to order the issuance of a certificate of title is an available remedy if any of the following limited circumstances exist:

- **Lost or stolen title:** The Certificate of Title is lost or stolen and a duplicate is no longer available from the Highland County Title Bureau. The required application/affidavit and orders must be filed by the party requesting the duplicate title. Contact must have been made with the Ohio Bureau of Motor Vehicles and a statement included that the title could not be obtained through the BMV
- **Incomplete sale:** There is proof of the transaction and the previous owner of record has not provided the certificate of title. Documentation must be submitted showing that there has been the effort made, by certified mail, to contact the prior owner requesting a title be provided.
- **Repair garage or place of storage:** Only when the value of the vehicle exceeds \$3,500.00, after storage and repair costs, can the court consider an order. If the value if the vehicle is less than \$3,500.00, the owner of the repair garage or place of storage may obtain a title through a separate process.

Located in this packet are forms to help you apply to the court for a Court Ordered Title. Please note there are two divisions within the Office of the Clerk of Courts and this process causes you to interact with both the Title and Legal Divisions. In addition, this process will cause you to interact with the Bureau of Motor Vehicles and the Ohio State Highway Patrol for a vehicle inspection.

Incomplete/inaccurate paperwork may cause your case to be dismissed.

The process is as follows:

- Present all documents and evidence to the **Highland County Title Office**. If the evidence is sufficient, the Title Office will issue a Certificate of Title. If the evidence is insufficient you will be instructed to go to the Highland County Clerk’s website at www.highlandclerkofcourts.org to print off a “court ordered title packet”.
- A deputy clerk will sign the order for the **Ohio State Highway Patrol** to inspect the vehicle.
- Customer will take this order to any office of the **Bureau of Motor Vehicle** to pay for and obtain a salvage inspection receipt. Cost for the inspection is \$53.50.
- An appointment will be required for the OSHP inspection and the receipt allows the customer to drive the vehicle to/from the Inspection Station without a license plate. A list of the OSHP Inspection Stations is included in the packet. (None are located in Highland County.)
- Prepare the enclosed APPLICATION FOR ORDER TO ISSUE CERTIFICATE OF TITLE. **This form is an affidavit and requires the signature of a notary public.**
- Take the completed APPLICATION, the INSPECTION RESULTS, the JOURNAL ENTRY (top portion completed) and your evidence to the **Clerk of Courts of Office** (Courthouse in the center of Hillsboro) located at 105 N. High Street, Hillsboro, OH 45133 between the hours of 8:30a.m. – 4:00p.m.
- **You must complete this step within 60 days.**
- A non-refundable processing fee of \$200.00 will be collected to open your case.
- If the ORDER TO ISSUE A CERTIFICATE OF TITLE is signed by the Judge, you will be mailed a certified copy. This copy will be issued at no additional cost.
- Take the certified copy of the order to the **Highland County Clerk of Courts TITLE DIVISION** located at 1575 N. High Street, Hillsboro, OH 45133 between the hours of 8:00a.m. – 4:30p.m.
- You will be responsible for the cost of sales tax and fees associated with the certificate of title transaction.

OHIO STATE HIGHWAY PATROL INSPECTION STATIONS
Under the direction of the Department of Public
Safety Director, Tom Stickrath

DISTRICT & CITY	ADDRESS	TELEPHONE
District 1- Findlay	8210 County Rd. 140 – Suite D	419.423.2957
District 2- Bucyrus	1653 Marion Rd.	419.563.0272
District 3- Seville	8730 Lake Rd.	330.769.5089
District 4- Southington	3424 US RT. 422	330.898.2894
District 5- Troy	1275 Experiment Farm Rd.	937.335.6412
District 6 – Columbus	1583 Alum Creek Dr.	614.644.1667
District 7 – New Concord	95 Wildflower Dr.	740.826.1030
District 8 – Westchester	9971 Cincinnati-Dayton Rd.	513.777.5547
District 9 – Jackson	25 McCarty Lane	740.286.3457
District 10 – Brook Park	5225 West 140 th St.	216.265.1677

COURT OF COMMON PLEAS
HIGHLAND COUNTY OHIO

RE: CERTIFICATE OF TITLE FOR

Case Number: _____

MAKE _____

APPLICATION FOR ORDER TO ISSUE

MODEL _____

CERTIFICATE OF TITLE

VIN/HIN _____

YEAR _____

STATE OF OHIO)
COUNTY OF HIGHLAND)

Applicant's name: _____

Address _____

Telephone: _____

I, _____, being duly sworn, according to law, provide the following statements:
(Applicant's name)

How did you obtain the vehicle? _____

If you purchased the vehicle/watercraft, list date of transaction, seller and the purchase price.

Date of transaction: _____ Purchased from: _____ Purchase price: _____

ATTACH A COPY OF THE RECEIPT, CHECK OR OTHER PROOF OF TRANSACTION.

Did you obtain a record check by the Bureau of Motor Vehicles/Division of Watercraft?

_____ ATTACH COPY OF THE RESULTS

State why you do not have a title. _____

ATTACH A COPY OF THE CERTIFIED LETTER SENT TO THE PREVIOUS OWNER, WITH RETURN RECEIPT, ASKING FOR THE TITLE.

Did you request a title through the Bureau of Motor Vehicles/Division of Watercraft?

_____ ATTACH COPY OF LETTER FROM THE BUREAU OF MOTOR VEHICLES/DIVISION OF WATERCRAFT. *If applicable.*

I, make application to this court to issue an order directing the Highland County Clerk of Courts to issue a certificate of title for the described vehicle.

Applicant's signature

Sworn to and subscribed before me on

(Date)

(Notary Public, State of Ohio)

COURT OF COMMON PLEAS
HIGHLAND COUNTY OHIO

JOURNAL ENTRY

RE: Certificate of Title for

Case Number: _____

MAKE _____

ORDER TO ISSUE

MODEL _____

CERTIFICATE OF TITLE

VIN/HIN _____

YEAR _____

Applicant's name: _____

Address: _____

Telephone: _____

On this day, this matter came before the court to be heard, ex parte, upon the Affidavit and Application of above applicant for an order authorizing the issuance of a certificate of title for the vehicle/watercraft described herein.

The Court, being fully advised, finds that the Application is well taken and the certificate of title should be issued to above applicant as requested.

IT IS THEREFORE ORDERED that the Highland County Clerk of Courts issue a certificate of title for the vehicle/watercraft described in the Affidavit and Application, and set forth above.

Judge's signature

Date



OHIO DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES

OBMV RECORD REQUEST

(Ohio Revised Code [O.R.C.] 4501.15, 4501.27, AND 4507.53)

This agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under O.R.C. 4501.27. Disclosure of this information is **REQUIRED**. **FAILURE** to provide any information will result in this form not being processed.

▶ **This request is being made by (check one):**

- An individual inquiring regarding himself or herself:** (Complete **Part A**) If inquiring in person for information on yourself, you must provide personal information regarding yourself, or prove your identity by presenting your driver license or identification card.
- An individual inquiring regarding another person:** (Complete **Parts A and B**) If inquiring regarding another individual, you must attach a notarized BMV Form 5008 giving the written consent of the person. All mail requests without the **BMV Form 5008** attached will be returned to the requester.
- Other:** (Check applicable reason for request on **Part C**, and complete **Parts A and B**)

▶ **I am requesting the following personal information contained in the Bureau of Motor Vehicles records:**

<input type="checkbox"/> Driving Record [302] (\$5.00) <input type="checkbox"/> Vehicle Registration Record [303] (\$5.00) <input type="checkbox"/> Last Known Address [405] (\$5.00) <input type="checkbox"/> Copy of Driver License Application [405A] (\$5.00)	<input type="checkbox"/> Copy of Title Record (\$5.00)
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PART A: Please provide current information regarding yourself:		NOTE: SIGNATURE REQUIRED ↓	
YOUR NAME (REQUESTER)	DATE OF BIRTH	SIGNATURE X	DATE
CURRENT STREET ADDRESS		CITY	STATE ZIP
COMPANY (IF APPLICABLE)		BMV ACCOUNT # (IF APPLICABLE)	
SOCIAL SECURITY #		DRIVER LICENSE #	LICENSE PLATE #
VEHICLE IDENTIFICATION #	TITLE #	TELEPHONE #/FAX #	

PART B: Request regarding other person(s):			
PERSON'S NAME	DATE OF BIRTH		
STREET ADDRESS	CITY	STATE	ZIP
SOCIAL SECURITY #	DRIVER LICENSE #	LICENSE PLATE #	
VEHICLE IDENTIFICATION #	TITLE #		

If requesting information on more than 1 person or vehicle, attach additional sheet(s).

Additional sheet(s) attached

Make check or money order payable to **Ohio Treasurer Josh Mandel**. If mailing, return to: **Ohio Bureau of Motor Vehicles, Attn: Records Request, P.O. Box 16520, Columbus, Ohio 43216-6520. Results will be mailed to requester.**

NOTE: An additional \$3.50 fee will be charged when submitting this form in person to the Customer Service Center located at 1970 W. Broad St., Columbus, OH 43223.

Part C: I (requester) qualify as checked below, and I am requesting:

1. As an **individual**. (Complete **Part A**, front)
2. A record for use in the normal course of business by me as a **legitimate business** or an agent, employee, or contractor of a legitimate business, for one of the two following purposes: (a) to verify the accuracy of personal information submitted to the business, agent, employee, or contractor by an individual; (b) in case personal information submitted to the business, agent, employee, or contractor by an individual is incorrect or no longer is correct, to obtain the correct information, for the sole purpose of preventing fraud, by pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
My tax identification number is: _____
My vendor number is: _____
My professional license number is: _____
Licensed by (agency): _____
3. With **written** consent. (Complete **Parts A and B**, front).
4. Records for bulk distribution for surveys, marketing, or solicitations, where the information will be used, rented, or sold solely for bulk distribution for surveys, marketing, or solicitations;
5. A record for the use of a **government agency**, including, but not limited to, a court or law enforcement agency, in carrying out its functions, or for the use of a private person or entity acting on behalf of an agency of this state, another state, the United States, or a political subdivision of this state or another state in carrying out its functions (a law enforcement agency does not need to fill out this form);
6. A record for use in connection with matters **regarding motor vehicle or driver safety and theft**; motor vehicle emissions; motor vehicle product alterations, **recalls**, or advisories; performance monitoring of motor vehicles, motor vehicle parts, and dealers; motor vehicle market research activities, including, but not limited to, survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers;
7. A record for use in connection with a civil, criminal, administrative, or arbitral **proceeding in a court or agency** of this state, another state, the United States, or a political subdivision of this state or another state or before a self-regulatory body, including, but not limited to, use in connection with the service of process, investigation in anticipation of litigation, or the execution or enforcement of a judgment or order (a subpoena or other court order may be used instead of this form). Please provide the court and case number, or if the case has not yet been filed, the court you anticipate to file in _____;
8. A record pursuant to an **order of a court** of this state, another state, the United States, or a political subdivision of this state or another state (a subpoena or other court order may be used instead of this form). Please attach a certified copy of the court order;
9. Records for use in **research** activities or in producing statistical reports, where the personal information will not be published, redisclosed, or used to contact an individual;
10. Records for use by an **insurer**, insurance support organization, or self-insured entity, or by an agent, employee, or contractor of that type of entity, in connection with a claims investigation activity, anti-fraud activity, rating, or underwriting. Please provide your Tax Identification, Vendor, or Professional license number along with the name of the licensing agency: _____;
11. A record for use in providing notice to the owner of a **towed**, impounded, immobilized, or forfeited vehicle. Please provide your Tax Identification, Vendor, or Professional license number along with the name of the licensing agency: _____;
12. A record for use by a licensed **private investigative agency** or licensed security service for any purpose permitted under numbers 1 through 15 of this form; my agency license number is: _____;
13. A record for use by an **employer** or by the agent or insurer of an employer to obtain or verify information relating to the holder of a **commercial driver license** or permit that is required under the "Commercial Motor Vehicle Safety Act of 1986", 100 Stat. 3207-170, 49 U.S.C. 2701, et seq., as now or hereafter amended. Please provide your Tax Identification, Vendor, or Professional license number along with the name of the licensing agency: _____;
14. A record for use in connection with the operation of a **private toll transportation facility**;
15. A record for any other use **specifically authorized by law** that is related to the operation of a motor vehicle or to **public safety**. Please provide a copy of the relevant statute.
16. A record in order to carry out the purposes of either the "Automobile Information Disclosure Act", 72 Stat. 325, 15 U.S.C. 1231-1233, the "Motor Vehicle Information and Cost Saving Act", 86 Stat. 947, 15 U.S.C. 1901, et seq., the "**National Traffic and Motor Vehicle Safety Act of 1986**" 80 Stat. 718, 15 U.S.C. 1381, et seq., the "Anti-Car Theft Act of 1992", 106 Stat 3384, 15 U.S.C. 2021, et seq., or the "Clean Air Act", 69 Stat. 322, 42 U.S.C. 7401, et seq., all as now or hereafter amended, for use in connection with one or more of the following matters: (a) motor vehicle or driver safety and theft; (b) motor vehicle emissions; (c) motor vehicle product alterations, recalls, or advisories; (d) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; (e) removal of non-owner records from the original owner records of motor vehicle manufacturers.

I understand that if I receive personal information under numbers 2, 3, or 5-16 of this form, I may **resell or disclose** the personal information only for uses permitted under numbers 2, 3, or 5-16. I understand that if I receive personal information under number 2-16 of this form, and I **resell or redisclose** any personal information, I must keep for a period of five years a record that identifies each person or entity that receives any of the personal information and the permitted purpose for which the information is to be used, and I must make all such records available to the Registrar of Motor Vehicles upon request.

I hereby certify that all of the information contained on this form is true and accurate to the best of my knowledge and belief. I understand that providing false information may constitute a criminal offense of falsification with a maximum penalty of 6 months in jail and a \$1000 fine.

SIGNATURE X	DATE
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**HIGHLAND COUNTY CLERK OF COURTS
TITLE DEPARTMENT
DENIAL NOTICE FORM**

Name: _____

Address: _____

Make: _____ Model: _____

Year: _____ Color: _____ VIN#: _____

We are unable to process your request for a Certificate of Title due to the following reason(s):

- When you are owner of a repair garage or storage facility in possession of a vehicle valued at more than \$3,500.00 after deduction of repair and storage fees, which vehicle has remained unclaimed by the owner more than fifteen days after notice to reclaim the vehicle (See O.R.C. Section 4505.101); or
- When you are the operator of a manufactured home park attempting to remove a tenant's manufactured home from the park property (See O.R.C. Section 3733.091 and 1923.12); or
- When you are a pawnbroker seeking forfeiture and title to a motor vehicle that has not been redeemed by the owner after expiration or breach of the loan secured by that motor vehicle (See O.R.C. Section 4505.102); or
- When a motor vehicle, whether a "junk motor vehicle" or not, has been abandoned on private property owned by you; and you do not want title to the motor vehicle, but rather simply want it moved or disposed of (See O.R.C. Section 4513.60 through 4513.65, inclusive); or
- Other: _____

Signature: _____

Deputy Clerk

Date: _____