

IN THE COURT OF COMMON PLEAS OF BELMONT COUNTY, OHIO

IN THE MATTER OF A CERTIFICATE OF TITLE FOR A MOTOR VEHICLE:

\_\_\_\_\_: Case No. \_\_\_\_\_  
(Petitioner's Full Name)

\_\_\_\_\_: \_\_\_\_\_  
(Petitioner's Address) Judge

\_\_\_\_\_: \_\_\_\_\_  
(City, State, Zip Code)

**Petition for Court Order Directing the Clerk of Courts to Issue a Certificate of Title for a Motor Vehicle and Affidavit in Support of Petition for Court Order Directing the Clerk of this Court to Issue a Certificate of Title for a Motor Vehicle (ORC Section 4505.10)**

PETITION

The undersigned, a resident of Belmont County, Ohio, petitions this Court for an Order directing the Belmont County Clerk of Courts Auto Title Department to issue, pursuant to Section 4505.10(A) of the Ohio Revised Code, a motor vehicle certificate of title in petitioner's name as true and lawful owner of the motor vehicle fully described as follows:

Make: \_\_\_\_\_ Model: \_\_\_\_\_

Year: \_\_\_\_\_ Color: \_\_\_\_\_ VIN #: \_\_\_\_\_

In support of this petition, the Court will find attached and incorporated herein petitioner's affidavit setting forth the circumstances under which petitioner came into possession of the subject motor vehicle; the facts that support issuance of a motor vehicle certificate of title in petitioner's name; and documents and other evidence that show petitioner's compliance with the requirements of O.R.C. 4505.10(A) and otherwise support petitioner's claim of entitlement to ownership of the described vehicle.

AFFIDAVIT

I, \_\_\_\_\_, having been duly cautioned and sworn, state the following to be  
(Petitioner's Full Name)

true to the best of my personal knowledge and belief:

1. I am petitioning this Court to order the Belmont County Clerk of Courts Auto Title Department to issue in my name a certificate of title for the motor vehicle fully described in my petition and now in my possession and under my control.
2. The described motor vehicle is not an "abandoned junk motor vehicle" as defined in Section 4513.63 of the Ohio Revised Code and subject to the procedures set forth in that statute.

3. I am not the owner of a repair garage or a place of vehicle storage required to follow the procedures set forth in Section 4505.101 of the Ohio Revised Code if the value of the subject vehicle is less than \$3,500.00.
4. I am not a pawnbroker required to follow the procedures set forth in Section 4505.102 of the Ohio Revised Code.
5. I am not the operator of a manufactured home park required to follow the procedures set forth in Chapters 1923 and 3733 of the Ohio Revised Code.
6. I applied to the Belmont County Clerk of Courts Auto Title Department for a certificate of title, but issuance was refused because I was unable to produce the documentation required by Section 4505.10 of the Ohio Revised Code for the Clerk to issue the certificate, to wit: a.) prior certificate of title; b.) manufacturer's or importer's certificate; or c.) a copy of the journal entry, court order or other instrument upon which my claim of possession and ownership is founded.
7. The circumstances by which I came into possession of the described motor vehicle were as follows:  
State how the motor vehicle was obtained: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If purchased, the motor vehicle was sold by: \_\_\_\_\_

Date of the transaction: \_\_\_\_\_ Purchase price: \_\_\_\_\_.

\*Attach a copy of your receipt, cancelled check, or bill of sale of other documentation of the transaction.

If the seller failed or refused to give you the prior certificate of title or the motor vehicle was otherwise abandoned by the previous owner to your possession, state what steps you have taken to obtain the prior certificate of title from the owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Attach copies of the correspondence to the prior owner along with certified mail receipts to show that you have tried to contact the previous owner to ask for the title or other required documentation.

\*Attach any other documentation that you believe supports your request to be declared true and lawful owner of the subject motor vehicle.

8. After the Clerk of Courts Auto Title Department found my evidence of title insufficient and refused to issue a Certificate of Title in my name to the described motor vehicle; I applied, as provided in Section 4505.10(A) of the Ohio Revised Code, directly to the Registrar of the Bureau of Motor Vehicles, Ohio Department of Public Safety, for the Registrar to authorize the Clerk of Courts to issue a certificate of title.

9. The Registrar of the Bureau of Motor Vehicle did not find the evidence I presented to be sufficient for the purpose of issuing a letter of authority to the Clerk of Courts Auto Title Department as indicated in the refusal letter issued instead by the Registrar. A copy of the refusal letter is attached hereto as documentation that I am entitled to file my petition in accordance with the provisions of Section 4505.10(A) of the Ohio Revised Code. Attach a copy of refusal letter from the Clerk of Courts.
  
10. I have asked the Belmont County Clerk of Courts Auto Title Department to complete a lien holder record search of the motor vehicle identification number set forth in my Petition and have attached a copy of the results of the search to this affidavit as an exhibit. I am unaware of any lien on the motor vehicle for which I am seeking a certificate of title other than as listed in the attached report from the Belmont County Clerk of Courts. Attach a copy of the results of the search.
  
11. I have asked the Bureau of Motor Vehicles, Ohio Department of Public Safety, to complete a record search of the motor vehicle identification number noted in my petition to determine if the motor vehicle for which I am seeking a certificate of title has been reported stolen, and have attached a copy of the results of the search to this affidavit as an exhibit. I do not know, nor do I have reason to believe, that the motor vehicle for which I am seeking a certificate of title has been stolen [Section 4505.19(A) of the Ohio Revised Code]. Attach a copy of the results of the search (BMV Form 2433).
  
12. In furnishing this affidavit, I acknowledge my understanding that, under the terms of Section 2921.13(A) (1) and (A)(5) of the Ohio Revised Code, to knowingly make a false statement in any official proceeding and to swear to or affirm the truth of a false statement before a notary public or other person empowered to administer oaths may constitute the offense known as falsification, a misdemeanor of the first degree.

Further, Affiant saith naught.

\_\_\_\_\_  
Signature of Petitioner



Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

(seal)

My Commission Expires \_\_\_\_\_, \_\_\_\_\_.