



**LICKING COUNTY CLERK OF COURTS  
OLIVIA C. PARKINSON**

**Court Ordered Title Packet for Single Motor Vehicle**

This packet includes the following documents:

- *Instructions to Customers Seeking an Order by the Licking County Common Pleas Court Directing the Clerk of Courts Auto Title Department to issue a Certificate of Title for a Motor Vehicle (Section 4505.10, O.R.C.);*
- *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 (Section 4505.10, O.R.C.);*
- *BMV Form 3753- Information Sheet*
- *BMV Form 1173- OBMV Record Request (Section 4501.15, 4501.27 and 4507.53, O.R.C.).*

(Rev. 3/2022)

**CLERK OF THE COURT OF COMMON PLEAS OF LICKING COUNTY, OHIO**

**Instructions to Customers Seeking an Order by the Licking County Common Pleas Court Directing the Clerk of Courts Auto Title Department to issue a Certificate of Title for a Motor Vehicle (Section 4505.10, O.R.C.)**

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).

The Clerk of the Common Pleas Court in each Ohio County has principal responsibility for issuing motor vehicle certificates of title on behalf of, and in cooperation with, the Bureau of

Motor Vehicles (BMV), Ohio Department of Public Safety. A properly issued motor vehicle certificate of title is the primary evidence of ownership of the motor vehicle described in the certificate.

In a limited number of circumstances, a Judge of the Common Pleas Court can order the Clerk of Courts Auto Title Department (title office) to issue you a motor vehicle certificate of title. These circumstances include:

- I. When the original certificate of title issued by the State of Ohio or any other state has been lost, destroyed or stolen and a duplicate of that certificate as provided by Section 4505.12 of the Ohio Revised Code is not available from the Clerk or BMV due to a lack of historical title records; or
- II. When you have purchased a vehicle, but the previous owner has failed, refused or otherwise been unable to furnish you with a properly assigned certificate of title; or
- III. When you have been given a vehicle or it has been left in your possession and ownership, but the previous owner has failed, refused or otherwise been unable to complete the transaction by supplying required documents; or
- IV. When you are owner of a repair garage or vehicle storage facility who is 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.

The Ohio Revised Code sets forth specific procedures to follow in instances other than the four listed above. Here are some examples of circumstances with respect to which Section 4505.10 of the Ohio Revised Code does **not** apply:

- I. When you are owner of a repair garage or storage facility in possession of a vehicle valued at less 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
- II. When you are the operator of a manufactured home park attempting to remove a tenant's manufactured home from the home park property (See O.R.C. Section 3733.091 and 1923.12); or
- III. 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
- IV. 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).

If you believe that Section 4505.10 of the Ohio Revised Code does apply to your situation, there are certain steps you will need to take before the Court can consider your petition for an Order directing the title office to issue a motor vehicle certificate of title to you. Those steps are outlined, as follows:

- I. In every instance your first step to obtain a certificate of title is to make application for a Certificate of Title by presenting your evidence at a Clerk of Courts, Auto Title Division. A properly assigned previous certificate of title or a manufacturer's or importer's certificate must be surrendered when applying for a certificate of title to be issued in your name. Absent one of those documents other satisfactory proof of ownership and rights to possession of the motor vehicle must be furnished. Section 4505.10(A) of the Ohio Revised Code limits the acceptable substitute proof to "an affidavit by the person or agent of the person to whom possession of the motor vehicle has passed, setting forth the facts entitling the person to possession and ownership, together with a copy of the Journal Entry, Court Order, or instrument upon which the claim of possession and ownership is founded." Most transactions are routine, but if you are unable to supply the described documentation, the title office cannot issue a certificate of title in your name.
- II. If your application for a certificate of title is denied by the title office because of insufficient proof of ownership, you may review the BMV Information Sheet (BMV Form 3753) to determine if the BMV can provide additional assistance to you. In specific cases, the BMV can provide a letter of authority that will authorize the local title office to issue a certificate of title in your name. If your situation meets the criteria set forth in BMV Form 3753, please submit your evidence to the BMV in accordance with the instructions provided in BMV Form 3753.
- III. If the BMV determined that the evidence you compile and present is sufficient to establish your right to possession and ownership of the vehicle, you will be given a letter authorizing the title office to issue a certificate of title in your name for the motor vehicle. If you receive a letter of authority from the BMV, you should bring the letter along with copies of the evidence you presented to the BMV to a Clerk of Courts title office. A certificate of title will be issued based upon that letter of authority and upon any applicable fees and taxes. A Petition for Court Order will not be necessary.
- IV. If your situation does not meet the criteria set forth in the BMV Form 3753 or the BMV determines that the evidence you compile and present is not sufficient to establish your right to possession and ownership of the vehicle, you have the option to petition for a court ordered motor vehicle certificate of title.

<b>Step</b>	<b>Where To Go</b>	<b>What Is Needed</b>
<b>Step One:</b> <b>Apply for a Certificate of Title at a Clerk of Courts Title Office</b>	<b>Licking County Clerk of Courts Title Office</b> •Newark Title Office 877 E. Main St. Newark, OH 43055 740-670-5450  •Pataskala Title Office 316 S. Township Rd Pataskala, Ohio 43062 740-927-7757  •New Albany Title Office 12938 Worthington Rd. Pataskala, Ohio 43062 740-670-5490	•Please retain denial letter due to insufficient evidence letter from the Clerk of Courts title office to file with your petition as a necessary exhibit.
<b>Step Two:</b> <b>Vehicle Owner and Lienholder Record Search</b>	<b>BMV Records</b> • <a href="http://www.bmv.ohio.gov">BMV 1173</a> forms are available online at <a href="http://www.bmv.ohio.gov">www.bmv.ohio.gov</a> or by calling 614-752-7671.	• <u>Fee</u> : A \$5.00 record search fee will apply for each title record search. •Complete <a href="http://www.bmv.ohio.gov">BMV 1173</a> form and check the box “last known address” and “Vehicle Title Record” for the vehicle owner and lienholder. 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. •Please allow at least 15 business days for processing. •Please retain BMV 2433 form to file with your petition/affidavit to the Court as a necessary exhibit.
<b>Step Three:</b> <b>Certified Mail Notifications-</b> <i>Mail a certified letter to current owner and lien holder apprising them of your intention to petition the court for a certificate of title.</i>	•Visit <a href="http://www.usps.gov">www.usps.gov</a> for information about the U.S. Post Office.	•Mail a certified letter to the vehicle owner(s) and lien holder(s) using information provided by the BMV notifying them of your intention to petition the Court for a certificate of title. ( <i>see sample letters attached</i> ) •Please retain copies of the letters mailed as well as the returned certified mail receipts to file with your petition as a necessary exhibit. •Please allow 15 days from the date of mailing for appropriate parties to respond back to you.

<b>Step Four: Obtain Ohio State Highway Patrol (OSHP) Inspection Receipt</b>	<b>BMV Deputy Registrar's Office</b> 614-752-7671 •Visit <a href="http://www.bmv.ohio.gov">www.bmv.ohio.gov</a> for a list of BMV locations.	•Fee: A \$53.50. •Visit your local BMV Deputy Registrar's office to purchase an OSHP Inspection Receipt (HP 105 form).
<b>Step Five: Schedule your OSHP Inspection</b>	<b>Ohio State Highway Patrol</b> •Columbus District Office 1583 Alum Creek Drive Columbus, OH 43209 614-644-1667 •Visit <a href="https://ext.dps.state.oh.us/SalvageInspectionAppointment/Pages/Public/Home.aspx">https://ext.dps.state.oh.us/SalvageInspectionAppointment/Pages/Public/Home.aspx</a> for more details.	•After you have had the OSHP inspection you will retain the HP 106/106F form you are provided to submit with your petition/affidavit to the Court.
<b>Step Six: File your petition/affidavit with the Licking County Court of Common Pleas</b>	<b>Licking County Clerk of Courts</b> 1 Courthouse Square Newark, Ohio 43055 740-670-5390	•Fee: \$150.00 (After approval or denial, court costs will be figured and applied from the deposit money and any overage will be returned to you). •A miscellaneous civil case will be opened when you submit an original and two copies of the following: a notarized petition/affidavit (included in packet); denial letter from the BMV (if applicable); denial letter from the Clerk of Courts title office; copies of any certified mail notifications and receipts; BMV 2433 form; HP 106/106F form; All relevant documentation (i.e. proof of attempt to contact owner of record, copies of past insurance and/or motor vehicle registration, copies of checks or receipts to show payment made for motor vehicle, and any other documents to support ownership) needs to be attached to the petition/affidavit at the time of filing.
<b>Step Seven: Appear before the Common Pleas Court</b>	<b>Licking County Common Pleas Court</b> 1 Courthouse Square Newark, Ohio 43055	•After you file the petition and supporting evidence an oral hearing will be set for the Court to consider your documents. If your petition is granted, the Court will sign a Judgment Entry and direct you to the Clerk of Courts Legal Department.
<b>Step Eight: Obtain a copy of your Judgment Entry from the Clerk of Courts</b>	<b>Licking County Clerk of Courts</b> 1 Courthouse Square Newark, Ohio 43055	•Once filed, you will be given a certified copy of the Judgment Entry to present to the title office for your certificate of title.

<b>Step Nine:</b> <b>Return to the Clerk of Courts title office to make an application for certificate of title</b>	<b>Licking County Clerk of Courts Title Office</b>  •Newark Title Office 877 E. Main St. Newark, OH 43055 740-670-5450  •Pataskala Title Office 316 S. Township Rd Pataskala, Ohio 43062 740-927-7757  •New Albany Title Office 12938 Worthington Rd. Pataskala, Ohio 43062 740-670-5490	•Fee: Title fees and applicable sales tax apply. •Please bring certified copy of the Judgment Entry and a valid photo identification card to one of the three title offices to apply for a certificate of title.
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**THERE IS NO GUARANTEE THAT A COURT ORDER WILL BE GRANTED.**

V. Available at the Licking County Clerk of Courts, General Division and online, are pre-printed forms of a *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*. You should fill in your name and address on the petition and complete the detailed description of the motor vehicle, including the vehicle identification number (VIN). A petition without the VIN will not be accepted. You should also fill in the blanks (except for the judge's name, the case number and the date) on the petition/affidavit. If filing for more than one vehicle, complete as many vehicle information pages, as necessary. On the petition you should furnish the details of how you came into possession of the motor vehicle and the facts upon which you base your claim that you should be declared the owner of the vehicle with all rights of possession. Be thorough and attach additional sheets, if necessary. Documents noted in these instructions as necessary exhibits must be filed with the petition/affidavit.

V. You should attach to your petition/affidavit the following as exhibits:

1. A copy of the refusal or denial letter you received from the Clerk of Courts Title Department and the BMV (if applicable);
2. Copies of the record search reports you obtained from the BMV along with BMV 2433 form;
3. State Highway Patrol Inspection (BMV 106/106F Form);
4. Correspondence and certified mail receipts showing you have tried to contact the current owner and lien holder (if applicable) in an attempt to secure a properly assigned certificate of title;
5. Copies of any additional documentation or evidence you believe necessary to support your claim, including, for example:

- a. Any receipt, bill of sale, or cancelled check as evidence of your performance as purchaser in connection with an incomplete transaction that was not the result of your own failure to perform; and/or
- b. Sworn statements of other persons familiar with the circumstances surrounding your possession of the vehicle.

**ADDRESSES AND PHONE NUMBERS OF IMPORTANCE:**

- **Licking County Clerk of Courts, General Division**  
Licking County Common Pleas Court, 2<sup>nd</sup> Floor  
1 Courthouse Square  
Newark, Ohio 43055  
Phone: 740-670-5791 Fax: 740-670-5886  
Hours: 8:00 AM-4:30 PM (Monday-Friday)
  
- **Licking County Clerk of Courts Title Department**  
  
**Newark Title Office**  
877 E. Main Street  
Newark, Ohio 43055  
Phone: 740-670-5450 Fax: 740-670-5447  
Hours: 8:00 AM-4:30 PM (Monday-Friday)  
8:00 AM-12:00 PM (Saturday)  
  
**Pataskala Title Office**  
316 S. Township Rd  
Pataskala, Ohio 43062  
Phone: 740-927-7757 Fax: 740-927-7332  
Hours: 8:00 AM-4:30 PM (Monday-Friday)  
  
**New Albany Title Office**  
12938 Worthington Rd.  
Pataskala, Ohio 43062  
Phone: 740-670-5490  
Hours: 8:00 AM-4:30 PM (Monday-Friday)
  
- **Ohio Bureau of Motor Vehicles (BMV)**  
P.O. Box 16520  
Columbus, Ohio 43216-6520  
Attn: BMV Records  
Phone: 614-752-7671  
(Ask for the Title Section)  
[www.bmv.ohio.gov](http://www.bmv.ohio.gov)
  
- **Ohio State Highway Patrol (OSHP) Vehicle Inspection Facility- District 6**  
Columbus District Office  
1583 Alum Creek Drive  
Columbus, Ohio 43209  
Phone: 614-644-1667



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(Titled Owner)

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(Address of Titled Owner)

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(Address of Titled Owner)

RE: Letter of Intent, Court Ordered Title Petition

Greetings,

My Name is \_\_\_\_\_. I am currently in possession of a (vehicle year, make and model:\_\_\_\_\_ with vehicle identification number \_\_\_\_\_.

Per an Ohio BMV Record Request, you were identified as the titled owner or other interested party of this vehicle. Due to my inability to transfer this vehicle into my name via standard procedure, I am now petitioning the Licking County Court of Common Pleas for a Certificate of Title. Please respond to this letter within 15 day of receipt. After 15 days has passed, I will be moving forward with my petition for Certificate of Title.

Sincerely,

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(Name)

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(Address)

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(Phone Number)

\_\_\_\_\_  
(Lienholder)

\_\_\_\_\_  
(Address of Lienholder)

\_\_\_\_\_  
(Address of Lienholder)

RE: Letter of Intent, Court Ordered Title Petition

Greetings,

My Name is \_\_\_\_\_. I am currently in possession of a (year, make and model: \_\_\_\_\_) with vehicle identification number \_\_\_\_\_.

Per an Ohio BMV Record Request, you were identified as the lienholder or other interested party of this vehicle. Due to my inability to transfer this vehicle into my name via standard procedure, I am now petitioning the Licking County Court of Common Pleas for a Certificate of Title. Please respond to this letter within 15 day of receipt. After 15 days has passed, I will be moving forward with my petition for Certificate of Title.

Sincerely,

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone Number)

# IN THE COURT OF COMMON PLEAS OF LICKING COUNTY, OHIO

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

\_\_\_\_\_  
(Petitioner's Full Name)

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

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

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

**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 (Section 4505.10, O.R.C.)**

### PETITION

The undersigned a resident of Licking County, Ohio, petitions this Court for an Order directing the Licking 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 true to the best of my personal knowledge and belief:

(Petitioner's Full Name)

1. I am a resident of Licking County, Ohio.
2. I am petitioning this Court to order the Licking County Clerk of Courts Auto Title Department to issue a Certificate of Title in my name for the motor vehicle fully described in my petition and now in my possession and under my control.

3. Check each of the following that are true statements:

- ☐ 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.
- ☐ 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.
- ☐ I am not a pawnbroker required to follow the procedures set forth in Section 4505.102 of the Ohio Revised Code.
- ☐ 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.
- ☐ I applied to the Licking 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.

4. The circumstances by which I came into possession of the described motor vehicle were as follows:  
State how the motor vehicle was obtained: \_\_\_\_\_

[illegible]

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

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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:

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*\*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.*

5. Check each of the following that apply:

- ☐ 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. *\*Attach a copy of denial letter from the Clerk of Courts-*
- ☐ 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 denial letter from the Registrar of the Bureau of Motor Vehicle.*
- ☐ I have asked **Bureau of Motor Vehicles, Ohio Department of Public Safety** to complete an owner and 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 Bureau of Motor Vehicles, Ohio Department of Public Safety. *\*Attach a copy of the results of the search (BMV Form 2433).*
- ☐ I arranged for and obtained an inspection of the subject motor vehicle by the **Ohio State Highway Patrol** to ensure it has not been reported as a stolen or otherwise compromised motor vehicle. *\*Attach a copy of the Inspection Report (HP Form 106/106F).*
- ☐ I attempted to notify **the owner of record and any lien holders** of record by certified mail that I am in possession of the subject motor vehicle and am applying for a court ordered title. *\*Attach copies of the correspondence to the prior owner and lienholders along with certified mail receipts to show that you notified the prior owner and lienholders that you are in possession and are seeking title to the subject motor vehicle.*

- ☐ 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.

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Signature of Petitioner

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

\_\_\_\_\_, \_\_\_\_\_.

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Signature of Notary Public