

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

Instructions to Customers seeking an Order by the Williams County Common Pleas Court directing the Clerk of Courts Auto Title Division to issue a Certificate of Title to a Motor Vehicle (ORC 4505.10)

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.

Dear Customer,

If your application for a certificate of title is denied by the title office because of insufficient proof, you may review the BMV 3753 Information Sheet to determine if the BMV can provide additional assistance to you. If your situation does not meet the criteria set forth in the BMV 3753 Information sheet, you have the option to petition for a court ordered motor vehicle certificate of title pursuant to the following procedure:

- Applicant must be a Williams County, Ohio resident
 - We highly recommend you contact an attorney to prepare your pleadings
 - If preparing pleadings *pro se* (without an attorney), pick up the required forms from the Clerk of Courts office, One Courthouse Square 3d Floor, Bryan OH OR Williams County Title Department 13065 County Road D-50 Lot B, Bryan OH.
1. Lien Holder Search. The requester will need to complete form BMV 1173 (attachment #1) and send it to the BMV at the address listed at the bottom of the form. Form BMV 1173 is a two sided form and can be obtained online or at a BMV. The BMV will conduct the title search and send the information back to the requester on form BMV 1149 via U.S. mail or email if requested. Should an Ohio title record be located for the vehicle, the form will list the owner(s) and lienholder, if applicable. It would then be the requester's responsibility to notify the titled owner or lienholder about the vehicle via certified mail, return receipt requested. Return receipts must be attached to the application.
 2. Obtain a Memo requesting Inspection (attachment #2) from the Williams County Title Department.
 3. Obtain an OSHP Inspection Receipt. Visit your local deputy registrant office (BMV) to purchase an OSHP Inspection Receipt (HP 105). Visit www.bmv.ohio.gov or call 614-752-7671 for your nearest deputy registrar location. The cost for the OSHP Inspection Receipt is \$53.50.

4. Schedule your OSHP Inspection at the nearest Ohio State Highway Patrol Inspection Facility (Findlay Inspection Facility). You can schedule your inspection by calling 1-844-610-0010 or schedule online at <http://statepatrol.ohio.gov/>, as shown on your inspection receipt. If scheduling by phone, inform the OSHP that you need to obtain an HP-106 form for a court ordered title. If scheduling online, select the correct inspection type, "Court Order". On your scheduled date and time, take your vehicle, inspection receipt (HP-105) and supporting documentation of ownership / possession to the inspection station. A vehicle identity inspection will be conducted by the OSHP to confirm the vehicle's identity and to determine if the vehicle is stolen, branding information and that no VIN tampering has occurred. Retain the HP-106 provided by the OSHP and submit it to the court with your application.
5. Complete the Application **IN FULL** (attachment #3). Incomplete applications will not be accepted. This document must be signed in the presence of a Notary Public.
6. Complete the Affidavit in full (attachment #4). This document must be signed in the presence of a Notary Public.
7. File the completed Application along with the affidavit, lien holder search and OSHP inspection with proposed Court Order to the Clerk of Courts, One Courthouse Square 3d Floor, Bryan OH. A deposit of \$50.00 (cash or check) is required at the time of filing.
8. In some situations, the Judge will schedule the application for hearing. Notice of hearing will be sent to the applicant by regular mail. The applicant **MUST** attend the scheduled hearing.
9. Should the Court grant you an Order for title, a certified copy of the Order will be mailed to you at the address provided. You will need to take that Order to the Williams County Clerk of Courts Title Department, 13065 County Road D-50 Lot B, Bryan OH for the issuance of your certificate of title. All taxes and fees will be collected when a title is issued.