

Application instructions for a court ordered motor vehicle certificate of title

- A. The Court will order the issuance of a title only under the following, limited circumstances.
1. **Lost or stolen title:** The Certificate of Title is lost or stolen and a duplicate is no longer available from the Lake County Clerk of Courts Title Division. 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 must be included in the affidavit that the title could not be obtained through the BMV.
 2. **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.
 3. **Repair garage or place of storage:** Only when the value of the vehicle exceeds \$2,500.00, after storage and repair costs, can the court consider an order. If the value of the vehicle is less than \$2,500.00, the owner of the repair garage or place of storage may obtain the title through a separate process. Please request this information.

If the above does **NOT** apply, **STOP HERE**. You are *not* eligible to receive a Certificate of Title through the court. Applicants, whose situations do qualify, will need to do the following.

- B. The party requesting the title must file a miscellaneous civil action in the Lake County Clerk of Courts' office in the Lake County Common Pleas Courthouse. A processing fee of \$38.00 must be paid. There will be no refund of any portion of this fee. Payment can be made by cash, certified bank check or money order. At the time the case is filed, you will need to bring the following.
1. Two (2) completed copies of the enclosed order to the Ohio Highway Patrol. All of the requested information must be typed or printed on the form. The date and Judge's signature line should be left blank.
 2. One (1) completed copy of the enclosed application/affidavit. All requested information must be typed or printed on the application/affidavit. The application/affidavit is a detailed description of the facts surrounding your situation. Please attach all relevant documentation (such as proof of attempt to contact owner of record, copies of past insurance and/or license plates, copies of checks or receipts to show payment made for vehicle, other documents to support ownership) to the affidavit. The affidavit must be notarized.
 3. Two (2) completed copies of the enclosed order to the Clerk of Courts. All of the requested information must be typed or printed on the form. The date and Judge's signature line should be left blank.
- C. If all the above requirements are met, the Court will consider signing the order to issue a certificate of title.

- D. Processing of paperwork:
1. The paperwork is to be prepared and presented to the Lake County Clerk of Courts' office. The Clerk's office is located at 25 North Park Place on the square in Painesville.
 2. Incomplete or incorrect paperwork may be returned to the requesting party by the Court and the action may be terminated. The processing fee will not be returned.
 3. Both copies of the order to the Highway Patrol will be forwarded to an assigned Judge for review and action. After obtaining the signed order from the Court, the person seeking the title must arrange for an inspection through the Ohio Highway Patrol. (A list of the Patrol stations is attached.) The vehicle must be inspected by the Ohio Highway Patrol to insure that the vehicle meets necessary state standards and has not been reported as a stolen vehicle.
 4. If the order is signed by the Judge, and upon the filing of the order in the Clerk's office, the Clerk will retain one copy and mail the other to the requesting party. It is the responsibility of the requesting party to take the vehicle and the order to the Highway Patrol for the necessary inspection. According to the Ohio Highway Patrol, the following steps must be taken to receive an inspection.
 - a. Go to any local license bureau.
 - b. Pay a \$50.00 inspection fee to the license bureau.
 - c. The license bureau will give you a receipt for the inspection fee that also allows you to drive the vehicle to and from the Ohio inspection site.
 - d. Make an appointment for the inspection at with the Ohio Highway Patrol from the attached list of Patrol stations.
 - e. Take the court order, and the receipt for the inspection with you to your appointment.
 5. After you have obtained the inspection from the Ohio Highway Patrol, submit it to the Clerk of Court office. This must be submitted to the Clerk within sixty (60) days of the date of the inspection or the case will not go forward and you will have to file another case with a \$38.00 fee.
 6. The Clerk of Courts will forward the Ohio Highway Patrol inspection, the application/affidavit and the unsigned order to the assigned Judge for review and action.
 7. After approval or denial by the Judge, you will be contacted by the Clerk of Court's office. If the order was signed by the Judge, you can pick up a certified copy at the Clerk of Court's office. There is a \$1.05 charge for the certified copy.
 8. Take the certified copy of the order to the Lake County Clerk of Courts Title Division for the issuance of a certificate of title. You will need to pay any sales tax and the cost of the issuance of the title at this time.

2004 Ohio State Highway Patrol Vehicle Inspection Facilities

District and City	Address	Telephone
District 1 - Findlay	8210 County Route 140, Suite D	419-423-2957
District 2 – Bucyrus	1653 Marion Rd	419-563-0272
District 3 – Seville	8730 Lake Road	330-769-5089
District 4 – Southington	3424 US RT 422	330-898-2894
District 5 – Troy	1275 Experiment Farm Road	937-335-6412
District 6 – Columbus	1583 Alum Creek Drive	614-644-1667
District 7 – Zanesville	4200 West Pike	740-452-0314
District 8 – Westchester	9971 Cincinnati- Dayton Road	513-777-5547
District 9 – Jackson	25 McCarty Lane	740-286-3457
District 10 – Garfield Heights	12323 Broadway	216-587-4305 Ext 2

Maureen G. Kelly
Lake County Clerk of Courts
25 N. Park Place
Painesville OH 44077
440-350-2579

Dear Customer:

When the evidence presented to our office for the issuance of an Ohio certificate of title is insufficient, you may follow the following procedure.

1. You must contact the Ohio Bureau of Motor Vehicles in Columbus at 1-614-752-7671. Ask for the Title Section. Explain you want to obtain a title to a motor vehicle, but you do not have sufficient evidence. They will ask questions and request that you provide your evidence for their inspection. If they find the evidence to be acceptable, they will issue a letter to the Lake County Clerk of Courts authorizing the issuance of a certificate of title. All taxes and fees will be paid to the Lake County Clerk of Courts when the title is issued.
2. If the BMV does not find your evidence to be sufficient to authorize the issuance of a title, they must give you a letter refusing to allow the title to be issued.
3. Take the refusal letter to the Lake County Clerk of Courts' office at 25 North Park Place on the square in Painesville. Ask for the packet to apply for a court ordered title.
4. If the Judge grants you an order for a title, bring it to the Lake County Clerk of Courts Title Division. All taxes and fees will be collected when the title is issued.
- 5.

There is no guarantee that a Court Order will be granted.

**Lake County Clerk of Courts procedure
for the processing of vehicle title requests by Court order**

1. The instructions to apply for a motor vehicle certificate of title may be given to any interested individual. The instructions include information on the process and copies of the forms for the order to the Highway Patrol, affidavit and order to issue the title.
2. A miscellaneous case will be opened when the applicant submits all of the following:
 - A non refundable fee of \$38.00 (\$25.00 to Clerk, \$10.00 to Clerk's computerization, \$3.00 to Judge's computerization).
 - Refusal to issue title letter from the Ohio Bureau of Motor Vehicles.
 - Two (2) copies of the completed, unsigned order to the Highway Patrol.
 - Notarized affidavit.
 - Two (2) copies of completed, unsigned order to issue title.
 - All relevant documentation (proof of attempt to contact owner of record, copies of past insurance and/or license plates, copies of checks or receipts to show payment for vehicle and any other documentation to support ownership).
3. The Clerk is to send both copies of the order to the Highway Patrol to the Judge for signature. Both copies will be signed and returned to the Clerk of Courts.
4. The Clerk is to mail one copy of the Order to the Applicant.
5. All other paperwork will remain in the case file until the applicant returns with the required inspection from the Highway Patrol. If the party does not submit the inspection within sixty (60) days, they will have to start over again with a new case, including another \$38.00 fee.
6. The Clerk will forward the case file with the Highway Patrol inspection, affidavit and two (2) copies of the unsigned order to issue the title to the Judge.
7. The Judge will review and decide as to whether to sign the order. If signed, both signed copies will be returned to the Clerk's office with the file.
8. The Clerk will contact the applicant to come to the Clerk's office to pickup a copy of the order. There will be a \$1.05 charge for each certified copy.
9. The applicant will take the certified copy to the Lake County Clerk of Courts Title Division for the issuance of the certificate of title.

**IN THE COURT OF COMMON PLEAS
LAKE COUNTY OHIO**

JOURNAL ENTRY

Case Number: _____

RE: Certificate of Title for
MAKE _____)
MODEL _____)
VIN _____)
YEAR _____)

ORDER TO THE OHIO
HIGHWAY PATROL

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 _____ for an order authorizing the issuance of a certificate of title for the vehicle described in the above caption.
Applicant's name

IT IS SO ORDERED that _____ deliver the vehicle to the Ohio State Highway Patrol [OSHP] for a vehicle inspection and a determination that the vehicle is not stolen. The OSHP shall report its findings back to _____ who **must** file the results of the inspection with the court **within 60 days of the date of this order.**
Applicant's name

Judge's Signature

Date

**IN THE COURT OF COMMON PLEAS
LAKE COUNTY OHIO**

JOURNAL ENTRY

Case Number: _____

RE: Certificate of Title for
MAKE _____)
MODEL _____)
VIN _____)
YEAR _____)

ORDER TO THE OHIO
HIGHWAY PATROL

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 _____ for an order authorizing the issuance of a certificate of title for the vehicle described in the above caption.
Applicant's name

IT IS SO ORDERED that _____ deliver the vehicle to the Ohio State Highway Patrol [OSHP] for a vehicle inspection and a determination that the vehicle is not stolen. The OSHP shall report its findings back to _____ who **must** file the results of the inspection with the court **within 60 days of the date of this order.**
Applicant's name

Judge's Signature

**IN THE COURT OF COMMON PLEAS
LAKE COUNTY OHIO**

Case Number: _____

RE: Certificate of Title for
MAKE _____)
MODEL _____)
VIN _____)
YEAR _____)

**APPLICATION FOR ORDER
TO ISSUE CERTIFICATE
OF TITLE**

STATE OF OHIO)
COUNTY OF LAKE)

Applicant's name: _____

Address: _____

Telephone: _____

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

(How did you obtain the vehicle?)

If you purchased the vehicle, list date of transaction, who did you buy it from and how much did you pay? ATTACH COPY OF RECEIPT, CHECK OR OTHER PROOF OF TRANSACTION)

(Did you obtain a record check by the Bureau of Motor Vehicles? ATTACH COPY OF THE RESULTS.)

(State why you do not have a title. ATTACH COPY OF CERTIFIED LETTER SENT TO PREVIOUS OWNER, WITH RETURN RECEIPT, ASKING FOR THE TITLE.)

(Did you request a title through the Bureau of Motor Vehicles? ATTACH COPY OF LETTER FROM BUREAU OF MOTOR VEHICLES.)

I hereby respectfully make application for this Court to issue an order directing the Lake County Clerk of Courts to issue a certificate of title to me for the described vehicle.

Applicant's signature

Sworn to and subscribed before me on _____
(Date)

(Notary Public, State of Ohio)

**IN THE COURT OF COMMON PLEAS
LAKE COUNTY OHIO**

JOURNAL ENTRY

Case Number: _____

RE: Certificate of Title for
MAKE _____)
MODEL _____)
VIN _____)
YEAR _____)

ORDER TO ISSUE
CERTIFICATE OF TITLE

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 _____ for an order authorizing the issuance of a
Applicant's name
certificate of title for the vehicle described in the Affidavit.

The Court, being fully advised, finds that the Application is well taken and the certificate of title should be issued to _____ as requested.
Applicant's name

IT IS THEREFORE ORDERED that the Lake County Clerk of Courts issue a certificate of title to _____ for the vehicle described in the Affidavit and Ap-
Applicant's name
plication, and set forth above.

Judge's signature

Date

**IN THE COURT OF COMMON PLEAS
LAKE COUNTY OHIO**

JOURNAL ENTRY

Case Number: _____

RE: Certificate of Title for
MAKE _____)
MODEL _____)
VIN _____)
YEAR _____)

ORDER TO ISSUE
CERTIFICATE OF TITLE

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 _____ for an order authorizing the issuance of a certificate of title for the vehicle described in the Affidavit.

Applicant's name

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

Applicant's name

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

Applicant's name

Judge's signature
