

MOTOR VEHICLE PACKET

Dear Customer,

When the evidence presented for the issuance of an Ohio title is insufficient, the procedure is as follows:

1. YOU, will need to follow the instructions on page 2 of this packet.
2. If the Judge grants you an order for a title, you will bring that order to the Noble County Clerk of Courts Auto Title Department, located at 350 Courthouse Caldwell, OH. 43724. All taxes and fees will be collected when a title is issued.

THERE IS NO GUARANTEE THAT AN ORDER WILL BE GRANTED.

KAREN STARR
NOBLE COUNTY CLERK OF COURTS
740-732-4408

CLERK'S PROCESSING OF VEHICLE TITLE REQUESTS

1. The Instructions for Applying for a Motor Vehicle Certificate of Title may be given to any interested individual. The instructions include information on the process and copies of standard forms for the Order to the Highway Patrol, an Affidavit, and the Order from the Court.
2. The standard forms must all be completed to initiate a vehicle title request.
3. A Civil Case is to be established and assigned to the Common Pleas Judge for that term upon refusal letter from the Bureau of Motor Vehicles (BMV) in Columbus. A deposit for court cost-filing fee of \$150.00 is to be collected upon filing of the required paperwork. The required paperwork includes an Original and one (1) copy of an unsigned Order to the Highway Patrol, a notarized Application/Affidavit with Original signature(s) and supporting evidence must be attached, and an Original and one (1) copy of an unsigned Order from the Court to issue title. All relevant documentation (i.e. 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 interest needs to be attached to the affidavit at the time of filing.
4. The Clerk is to send both copies of the Order of Highway Patrol to the Judge for review, and if approved signature. Both copies of the Order will be signed and returned to the Clerk of Courts.
5. The Clerk is to then send the copy of the Highway Patrol Order to the filing party.
6. The Clerk is to maintain all other paperwork in the case file. Further action on the matter will be taken only if the filing party returns the required approval from the Ohio Highway Patrol.
7. The filing party will have sixty (60) days, to obtain the necessary approval from the Ohio Highway Patrol to continue the process to obtain title. The filing party must submit the written Ohio Highway Patrol inspection document. If the applicant does not submit the Order within the required sixty (60) days, they will have to start the process all over again. This means another \$150.00 deposit for costs filing fee.
8. The Clerk will forward the file, which should contain the documentation from the Ohio Highway Patrol, the notarized Application /Affidavit, (supporting evidence must be attached) and the unsigned Order to the Clerk to Issue Title to the Judge for his review, the Court may require additional information or Court hearing.
9. If approved and return to Clerks Office, the Clerk will send a certified copy of the Order To The Clerk to Issue Title and will return the file to the Clerk of Courts for processing.
10. If approved and return to Clerk's Office, the Clerk will send a certified copy of the Order To The Clerk To Issue Title to the filing party by regular U.S. mail.
11. The filing party will then take the certified copy of the Order to the Noble County Clerk of Courts Auto Title Office for the issuance of a certificate of title.
12. If the Court does not approve the Order To The Clerk To Issue Title, the filing party will be notified with an Order of denial by regular U.S. mail.

INSTRUCTIONS FOR APPLYING FOR A COURT ORDER
MOTOR VEHICLE CERTIFICATE OF TITLE

THIS PROCEDURE IS TO BE USED ONLY AFTER THE BUREAU OF MOTOR VEHICLE TITLE SECTION HAS ISSUED A LETTER REFUSING TO ISSUE A TITLE AND THE APPLICANT IS A RESIDENT OF NOBLE COUNTY.

A. The Court may order the issuance of a title only under the following, limited, circumstances:

1. **Lost or Stolen:** The Certificate of Title is Lost or Stolen and a Duplicate is no longer available from the Auto Title Office. The party requesting the duplicate title must have been made with the Ohio Bureau of Motor Vehicles and a statement must be included in the affidavit that 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, (return receipt requested), to contact the prior owner requesting that a title be provided.
3. **Repair Garage or Place of Storage:** Only when the value of the vehicle, after storage and repairs is worth \$2,500 or more can the Court consider and Order. If the value of the vehicle is less than \$2,500, the owner of the repair garage or place of storage may obtain title through a separate process. Please request this informaton at the Title Office.

IF THE ABOVE DOES NOT APPLY TO YOU - STOP HERE! You are not eligible to receive a Certificate of Title through the Court. Those applicant's whose situations do qualify, proceed to the following steps:

B. The party requesting the title must:

1. File a Civil Action in the Clerk of Courts Office in the Noble County Courthouse. A deposit for costs-filing fee of \$150.00 must be paid.
2. Prepare an Original and one (1) copy of the ORDER TO THE OHIO HIGHWAY PATROL- The vehicle meets necessary state standards and has not been reported as a stolen vehicle. After obtaining the signed from the Court, the person seeking title must arrange for inspection through the attached list from the License Bureau. A preprinted form for the order is attached. All of the requested information should be typed or printed on the form. The date and Judge's signature line should be left blank.

3. Prepare an APPLICATION/AFFIDAVIT– this is a detailed description of the facts surrounding the specific situation. All relevant documentation (i.e. 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 interest) needs to be attached to the application/affidavit at the time of filing. The application/affidavit must be notarized. A pre-printed affidavit form is attached. All of the requested Information should be typed or printed on the form.
4. Prepare an original and one (1) copy of the ORDER TO THE CLERK OF COURTS for the Judge’s signature if he would approve the application/affidavit. If the Judge signs the ORDER TO THE CLERK OF COURTS, you may use this to obtain a title to the vehicle at the Noble County Clerk of Courts Auto Title Office. A pre-printed form is attached. All of the requested information should be typed or printed on the form. The date and Judge’s signature line should be left blank.

C. Processing of the Paperwork:

1. The paperwork for those situations under the court’s jurisdiction (see A above) is to be prepared and presented to the Clerk of Courts Office (located on the 3rd floor of the Noble County Courthouse) when filing the Civil Case.
2. If there is incomplete paperwork or the paperwork is incorrect, all documents will be returned to the requesting party and the action will be terminated. Any balance of deposit for costs-filing fee will be refunded after necessary court costs are applied.
3. The Original and copy of the Order To the Highway Patrol will be forwarded to the Court for review and action. Upon the return of the approved and signed order, the Clerk will retain the original and mail the second copy to the filing party by regular US Mail. It is the responsibility of the filing party to take the vehicle and the order to the Ohio Highway Patrol, the following steps must be taken to present the Court’s Order for an inspection.
 1. Go to your License Bureau located at Olive St. Caldwell, Oh.
 2. Pay a \$50.00 inspection fee to the License Bureau.
 3. The License Bureau will give a receipt for the inspection fee that also allows you to drive the vehicle to and from the Ohio Inspection Site.
 4. Make an appointment for the inspection from the list provided by the License Bureau.
 5. Take to the appointment the copy of the Ohio Highway Patrol Court Order, and the receipt for the payment of the \$50.00 inspection fee.

1. When the filing party has obtained an inspection from the Ohio Highway Patrol, the documentation of the inspection must be submitted to the Clerk of Courts to be filed within the previously filed civil case.
2. The Clerk of Courts will forward the documentation from the Ohio Highway Patrol will forward the Application/Affidavit, and the unsigned Order to the Judge for review and action.
3. Upon approval/denial by the Court, the Clerk of Courts by regular US Mail will notify the filing party with a certified copy of the signed Order.
4. If approved, the filing party must take the certified copy of the signed Order to the Noble County Clerk of Courts Auto Title Office for issuance of a certificate of title. The Title Office is located at 350 Courthouse Caldwell, OH. Telephone Number 740-732-4408. Any balance of the deposit for costs-filing fee will be refunded after necessary court costs are applied.
5. If denied, any balance of the deposit for costs-filing fee will be refunded after necessary court costs are applied.

IN THE COURT OF COMMON PLEAS OF NOBLE COUNTY, OHIO

IN THE MATTER OF CERTIFICATE OF TITLE:

PETITIONER/APPLICANT

CASE NUMBER _____

ORDER TO OHIO HIGHWAY PATROL

APPLICANT'S NAME: _____

ADDRESS: _____

TELEPHONE: _____

MAKE: _____ MODEL: _____ YEAR: _____

VEHICLE IDENTIFICATION NUMBER: _____

On this day, this matter came before the Court to be heard ex parte upon the Application and Affidavit of the _____ (petitioner/applicant) shall deliver the vehicle to the Ohio State Highway Patrol for a vehicle identification inspection and to report the results of the inspection back to the Court within sixty(60) days of the date of this order.

The Ohio State Highway Patrol is directed to perform the vehicle identity inspection on said vehicle. The Petitioner/Applicant is to pay all fees required for said inspection.

Date: _____

John W. Nau
Judge Court of Common Pleas
Caldwell, Ohio

Distribution: Original in file
Mail one certified copy to Petitioner/Applicant

IN THE COURT OF COMMON PLEAS OF NOBLE COUNTY, OHIO

IN THE MATTER OF CERTIFICATE OF TITLE:

PETITIONER/APPLICANT

CASE NUMBER _____

Certificate of Title for:

APPLICATION AND AFFIDAVIT FOR
ORDER TO ISSUE
CERTIFICATE OF TITLE

MAKE _____
MODEL _____
YEAR _____
VIN# _____

STATE OF OHIO)
COUNTY OF NOBLE) SS:

I, the undersigned _____ (petitioner/applicant's name),
being duly sworn according to law, make the following statements:

1. How did you obtain the vehicle?

If you purchased the vehicle, list date of transaction, from whom did you buy it from and how much did you pay?

2. State why you do not have title. You need to have sent a certified letter with a return receipt to the previous owner asking for title.
(ATTACH COPY OF LETTER AND RETURN RECEIPT FOR CERTIFIED MAIL).

3. What has been the title status of the vehicle since you have had it?

4. Did you request a title through the Bureau of Motor Vehicles? YES _____ NO _____
(ATTACH COPY OF THE RESULTS FROM THE BMV)

5. Did you obtain a record check by the Bureau of Motor Vehicles: YES _____ NO _____

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

PETITIONER/APPLICANT'S SIGNATURE

Petitioner/Applicant's printed name

Address

County of Residence

Telephone Number of Petitioner/Applicant

Sworn to and subscribe by _____ before me on
this _____ day of _____, 2014.

SEAL

Notary Public, State of OHIO

My Commission Expires: _____

IN THE COURT OF COMMON PLEAS OF NOBLE COUNTY, OHIO

IN THE MATTER OF CERTIFICATE OF TITLE:

Petitioner/Applicant CASE
NUMBER _____

**ORDER TO THE CLERK OF COURTS
TO ISSUE CERTIFICATE OF TITLE**

Certificate of Title for:
ISSUE

MAKE _____

MODEL _____

YEAR _____

VIN# _____

On this day, this matter came before the Court to be heard upon the Application/Affidavit of _____ (Applicant's Name). A resident of Noble County, for an Order authorizing the issuance of a certificate of title for the vehicle described in the Application/Affidavit.

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

IT IS THEREFORE ORDERED that the Noble County Clerk of Courts issue a certificate of title to _____ (applicant's name) whose address is _____ for the vehicle described in Application/Affidavit, and as set forth above.

Costs to Petitioner/Applicant.

Date: _____

John W. Nau
Judge, Court of Common Pleas
Noble County, Ohio

Distribution: Original In File
Mail one certified copy to Petitioner/Applicant