



TOM ORLANDO

LORAIN COUNTY CLERK OF COURTS

LEGAL DIVISION
225 COURT STREET
FIRST FLOOR
ELYRIA, OH 44035

LORAIN COUNTY CLERK OF COURTS COURT-ORDERED TITLE INSTRUCTIONS AND FORMS PACKET

If the evidence of ownership of a motor vehicle, all-purpose vehicle, underspeed vehicle, off-highway motorcycle, outboard motor, or watercraft is insufficient for the issuance of a certificate of title to the current owner by the Lorain County Clerk of Courts, the current owner may petition the Lorain County Court of Common Pleas to request a court-ordered title pursuant to Ohio Revised Code Section 4505.10. **YOU ARE NOT GUARANTEED TO RECEIVE A TITLE.**



You must be a Lorain County resident or business to avail yourself of this procedure. If your vehicle is self-assembled, rebuilt, does not have a VIN/has more than one VIN, or the VINs on the vehicle and title are mismatched, you cannot use this procedure to obtain a title. If your watercraft does not have a 12-digit HIN, or the HIN on the boat or motor does not match the HIN listed on the title, you cannot use this procedure to obtain a title.

If you have not applied directly to the registrar of motor vehicles, then you cannot use this procedure to obtain a title until the registrar finds the application to be insufficient.

It is strongly recommended that you consult with or hire a licensed attorney before proceeding.

STEP 1

If you have not done so already, make your written request for a title to the last-recorded owner and active lienholder of the vehicle or watercraft. Send your request via trackable means, such as U.S. certified mail, return receipt requested, and make sure you provide your full contact information in the letter, including a telephone number and e-mail address. Keep a copy of your demand letter and any return receipt cards (also referred to as "green cards") or electronic receipts, as well as any returned envelopes from failed, refused, or unclaimed mail.

Don't have the name or address of the last-recorded owner and/or active lienholder? Please visit either the Elyria or Lorain Auto Title & Passport office of the Lorain County Clerk of Courts. A deputy clerk will be able to assist you in obtaining this information via a records search, if the vehicle was previously titled in Ohio.

STEP 2

Complete a Lorain County Clerk of Courts Title Division Record Sufficiency Form and take it to the Elyria or Lorain Auto Title & Passport office. A manager will complete and sign your Sufficiency Form, and return the original to you. You will need this form when you file your case.

Need a form? Copies are available on the Clerk's website: www.loraincountyohio.gov/clerk, or you can get the form in person from either Title office.

STEP 3

You will need to fill out a Petition for Court-Ordered Title. Attach the *original* Title Division Record Sufficiency Form, copies of all your documentation showing the efforts you made to contact the last-recorded owner and active lienholder for a title, and copies of all additional paperwork you have to support your claim of ownership to the motor vehicle, APV, underspeed vehicle, off-highway motorcycle, watercraft, or outboard motor, such as a notarized bill of sale, manufacturers certificate of origin (MCO), and/or a certificate of title. The fee for filing a Petition for Court-Ordered Title in Lorain County is \$75.00. Be advised this fee is non-refundable, even if the Court denies your request for a title.

Bring all of this information with you to the Legal Division of the Lorain County Clerk of Courts, located in the Lorain County Justice Center in Elyria. You will file these documents and pay your \$75.00 fee with a deputy clerk in the Civil Department (room 105). Your matter will be assigned a case number and a judge at the time the case is filed.

The deputy clerk will make a copy of your filed Petition and give it to you for your records.

STEP 4

The Court will schedule a hearing on your Petition and send you notice of the hearing. **YOU MUST ATTEND THIS HEARING.** This is your opportunity to explain to the Court why you are requesting a certificate of title.

The Judge or Magistrate will listen and may also have questions. Before the hearing concludes, the Judge or Magistrate will explain what will happen next. Pay careful attention and be prepared to complete any tasks, file additional documents, or attend any further hearings the Court requires.

STEP 5

If the Court decides to grant your petition, you will receive a certified copy of that court order from the Clerk's office by mail. It is important that you read the entry and follow its instructions so that you can obtain your title. If the Court denies or dismisses your petition, you will not be able to receive a court-ordered title.

Neither the Clerk's office nor the Court can provide you with legal advice. It is your responsibility to present your case to the Court. Even if you are not an attorney and choose to represent yourself, you are charged with knowledge of the law, the Rules of Civil Procedure, and the Court's Local Rules.

ONE FINAL NOTE

A certificate of title is evidence of ownership. If applicable, your vehicle may not be capable of being legally driven on the roadways. Contact the Ohio Bureau of Motor Vehicles with registration and plating requirements.

IN THE COURT OF COMMON PLEAS
LORAIN COUNTY, OHIO
Tom Orlando, Clerk of Court

**IN THE MATTER OF:
COURT-ORDERED TITLE FOR**

YOUR PRINTED NAME HERE

CASE NO. _____

JUDGE _____

**PETITION FOR COURT-ORDERED
TITLE UNDER R.C. 4505.10**

Complete all requested information. Print legibly.

.....

I, _____, appearing on my own behalf, respectfully petition
PRINT YOUR NAME HERE
this Court for an order directing the Lorain County Clerk of Courts to issue a certificate of title in
my name to the motor vehicle, APV, underspeed vehicle, off-highway motorcycle, watercraft, or
outboard motor more fully described below.

I am the true and lawful owner of the _____, _____
YEAR _____ MANUFACTURER OR "MAKE"
_____, (_____,
MODEL OR DESCRIPTION PRINT VIN/HIN/SERIAL NUMBER HERE),

that is the subject of this petition, but have been unable to obtain a certificate of title in my
name for the following reason(s): (*attach additional sheet of paper if necessary*)

I acquired the vehicle, APV, underspeed vehicle, off-highway motorcycle, watercraft, or outboard motor on or about _____ in the following manner:

DATE

In support of this petition, I have attached the following documentation providing evidence of my ownership and compliance with Ohio Revised Code Section 4505.10(A) *(Check ALL that apply and include copies as SINGLE-SIDED attachments to this Petition:)*

- original Auto Title Record Sufficiency Form (REQUIRED)
- copy of proof of demand for title/cert. mail return receipt card/returned envelope
- copy of prior certificate of title
- photos or pencil tracing of VIN/HIN/ serial no. and odometer reading, reproduced on 8½ X 11" paper
- copy of bill of sale/receipt/MCO

- copy of cancelled check/credit card statement documenting my purchase
- copy of BMV 1173/1174 or DNR 8513 and results of records request
- copy of physical inspection form
- copy of correspondence with previous owner/lienholder
- other documentation not listed here:

By my signature below, I certify that the information I have presented is true and accurate to the best of my knowledge. I understand that providing false or misleading information to the court may result in dismissal of my petition, a finding of contempt by this court against me, or subject me to criminal penalties. I further understand that the

court is not obligated to grant my petition, and that I am not entitled to any refund of the filing fee in the event my petition is not granted.

YOUR SIGNATURE

YOUR FULL NAME (PRINT)

YOUR COMPLETE STREET ADDRESS (PRINT)

CITY, STATE, ZIP CODE (PRINT)

_____(_____) _____
YOUR TELEPHONE NUMBER (PRINT)

YOUR E-MAIL ADDRESS (PRINT)

THIS PETITION AND THE ATTACHMENTS MUST BE FILED WITH THE LEGAL DIVISION OF THE LORAIN COUNTY CLERK OF COURTS AT THE LORAIN COUNTY JUSTICE CENTER; 225 COURT STREET, FIRST FLOOR; ELYRIA, OH 44035. PLEASE GO TO ROOM 105.

INSTRUCTIONS FOR THE CLERK

1. Filing fee of \$75.00 or Civil Fee Waiver Affidavit shall be received or filed with Petition. Docket code: COT.
2. Make one copy of Petition and attachments. Provide Petitioner the copy of the filed Petition and charge to costs.
3. Once case has been entered, put file in Judge's box. No other service is required.

LORAIN COUNTY COURT OF COMMON PLEAS
Civil Case Designation Sheet

Plaintiff _____

Case Number (to be completed by Clerk) _____

-v-

Defendant _____

Assigned Judge (to be completed by Clerk) _____

RE-FILING

Former case number and previously assigned Judge _____.

REQUEST FOR CONSOLIDATION (must also file motion with Court)

List companion case(s) _____.

PROFESSIONAL TORT

- Medical Malpractice
- Dental Malpractice
- Optometric Malpractice
- Chiropractic Malpractice
- Legal Malpractice
- Other Malpractice

ADMINISTRATIVE APPEAL

- Civil Service
- Motor Vehicle
- Unemployment
- Liquor
- Taxes
- Zoning
- _____

PRODUCTS LIABILITY

- Personal Injury
- Wrongful Death
- _____

OTHER CIVIL

- Appropriation
- Accounting
- Breach of Contract
- Cognovit
- Complex Litigation classification request
- Consumer Sales Act (Rev. Code § 1345)
- Declaratory Judgment (related case & Judge)
- _____

OTHER TORT

- Personal Injury
- Wrongful Death
- Vehicle Accident
- Miscellaneous

Habeas Corpus

- Injunction
- Mandamus
- Replevin
- Specific Performance
- Stalking Civil Protection Order
- Foreign Judgment
- Arbitration Confirmation
- Civ. R. 3(F) Notice of Pending Litigation
- Court-ordered Title
- _____

WORKERS' COMPENSATION

- Non-compliant Employer
- Appeal

FORECLOSURE

- Foreclosure
- Foreclosure - Taxes
- Foreclosure - Mechanic's Lien

Permanent parcel no. _____

DATE: _____

ATTORNEY/PARTY: _____

OHIO SUPREME COURT NUMBER: _____