



Jennifer Johnson

Guernsey County Clerk of Courts

jjohnson@guernseycounty.org

Legal Office

801 Wheeling Avenue
Cambridge, Ohio 43725

Auto/Title Office

401 Wheeling Avenue
Cambridge, Ohio 43725

Instructions to Customers Seeking an Order by the Guernsey County Common Pleas Court Directing the Clerk of Courts Auto Title Division to issue a Certificate of Title to a Motor Vehicle for Guernsey County Residents. (Section 4505.10, Ohio Revised Code)

- A. You first need to obtain a salvage inspection receipt by going to the License Bureau and paying the \$55.00 inspection fee. The License Bureau will provide a receipt for the inspection fee that also allows you to drive the vehicle to and from the State Patrol inspection site.
1. Make an appointment with the Ohio State Highway Patrol Inspection Facility by calling the number on the salvage receipt.
 2. Present the vehicle on the scheduled date with ALL documentation as to how you came into possession of the vehicle. Receipts, written estimates, repair orders, parts receipts, etc., will be reviewed for verification.
 3. Title history of the vehicle will be checked through the BMV records to verify current ownership and lien status.
 4. CARFAX check will be done on the vehicle to check previous salvage history, previous state titles and any brand notices such as non-repairable title, mileage discrepancy, etc.
 5. N.I.C.B. records will be checked for stolen vehicle reports.
 6. Vehicle will be inspected to verify identity.
 7. The State Patrol will issue you a copy of a form HP-106.
- B. Prepare both the Application and the Affidavit Form from the packet. The Affidavit must be notarized. The Clerk of Courts' office can notarize this document for you when you appear in person along with proper identification. All of the information requested should be typed or printed on the form and your explanation. Present your application, affidavit, and inspection documentation (Form HP-106) to the Clerk of Courts Legal Department, along with your filing fee/deposit of \$50.00. The Clerk's office will prepare your case file and send to the Judge for a non-oral hearing upon the documentation submitted.
- C. If all the requirements are met, the Judge may sign the Order which may be used to obtain a title to the vehicle. This filing and review process may take up to 120 days. If your application is approved, a Certified Copy of the Judge's Order will be mailed to you. You must then take that Certified Copy to the Guernsey County Auto/Title office located at 401 Wheeling Avenue, Cambridge, Ohio 43725, or the issuance of a certificate of title. You will be required to pay the appropriate titling fees and taxes at that time.

NOTE: There is no guarantee that a Court Order will be granted. If there is incomplete or incorrect documentation, all documents will be returned to the filing party and the action will be terminated. There will be no refund of any portion of the filing fee.



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MEMORANDUM
OSHP INSPECTION REQUEST

TO: The Ohio State Highway Patrol
District 5 Inspection Station

FROM: Guernsey County Auto/Title Department

Customers Name: _____

Address: _____

Date: _____

The above-named customer has requested a Certificate of Title through the State of Ohio. The customer does not have the proper documentation or evidence for us to issue a title. Therefore, we have recommended that this customer apply to the Guernsey County Common Pleas Court for a Court Order to obtain a vehicle title.

You are hereby requested to complete a physical inspection of the subject vehicle upon presentation of the receipt/proof of payment of the inspection fee. You are requested to assign a VIN if one cannot be located.

Vehicle Information

Make: _____ Year: _____

Model: _____ VIN: _____

Lien Information: _____

If you have any questions, please contact the Auto/Title Department at 740-432-9235.

JENNIFER JOHNSON, Clerk of Courts

By: _____, Deputy Clerk

**IN THE COURT OF COMMON PLEAS
GUERNSEY COUNTY, CAMBRIDGE, OHIO**

IN RE: PETITION FOR MOTOR VEHICLE
CERTIFICATE OF TITLE

Judge Daniel G. Padden

Case No.: _____

Petitioners Full Name

PETITION (ORC 4505.10)

Petitioners Address

City, State, Zip Code

The undersigned, _____, a resident of Guernsey County, Ohio, petitions this Court for an order directing the Guernsey County Clerk of Courts Auto/Title Division to issue, pursuant to ORC Section 4505.10(A), a motor vehicle certificate of title in Petitioner's name as true and lawful owner of the motor vehicle more 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 Petitioners name; and document and other evidence that show Petitioner's compliance with the requirements of R.C. 4506.10(A) and otherwise support Petitioner's claim of entitlement to ownership of the described vehicle.

Respectfully submitted,

Petitioner's Signature

Petitioner's Printed Name and Phone Number

**IN THE COURT OF COMMON PLEAS
GUERNSEY COUNTY, CAMBRIDGE, OHIO**

IN RE: PETITION FOR MOTOR VEHICLE
CERTIFICATE OF TITLE

Case No.: _____

Petitioners Full Name

AFFIDAVIT (ORC 4505.10)

STATE OF OHIO, COUNTY OF GUERNSEY, SS:

The undersigned, _____, having been first duly sworn and cautioned, states as follows to the best of my personal knowledge and belief.

1. I am petitioning this Court to order the Guernsey County Clerk of Courts Auto Title Office to issue in my name a certificate of title for the motor vehicle fully described in my petition and now in my possession and under my control.
2. The described motor vehicle is not an "abandoned junk motor vehicle" as defined in ORC Section 4513.63 and therefore subject to the procedures set forth in that statute.
3. 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 if the value of the subject vehicle is less than \$3,500.00
4. I am not a pawnbroker required to follow the procedures set forth in ORC Section 4505.102.
5. I am not the operator of a manufactured home park required to follow the procedures set forth in ORC 1923 and 3733.
6. I applied to the Guernsey County Clerk of Courts Auto Title Office for a certificate of title, but issuance was refused because I was unable to produce the documentation required by ORC 4505.10.
7. The circumstances by which I came into possession of the described motor vehicle are outlined in the attachment to this Affidavit.

(Note: State how you obtained the motor vehicle. If purchased, give the date of the sale, who sold you the vehicle and how much you paid for it. Attach a copy of your receipt, cancelled check, bill of sale or other documentation. State what steps you have taken to obtain the prior certificate of title from the owner. Attach copies of the correspondence to the prior owner along with certified mail receipts to show proof of your attempt. Attach any other documentation you believe supports your request)

8. I have requested a records search be completed by the Guernsey County Auto Title office, to be submitted to the Clerk of Courts. I am not aware of any lien on the motor vehicle other than as listed in the attached report, nor do I have any reason to believe said motor vehicle has been stolen.
9. In furnishing this affidavit, I acknowledge my understanding that 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 criminal offense known as falsification, a misdemeanor of the first degree.

Further, Affiant sayeth naught.

Affiant/Petitioner's Signature

Sworn to before me and subscribed in my presence this ____ day of _____, 20 ____.

Notary Public
Commission Expiration: _____

**IN THE COURT OF COMMON PLEAS
GUERNSEY COUNTY, CAMBRIDGE, OHIO**

IN RE: PETITION FOR MOTOR VEHICLE
CERTIFICATE OF TITLE

Judge Daniel G. Padden

Case No.: _____

Petitioners Full Name

JUDGMENT ENTRY

This cause was considered by the Court ex parte upon the Petition, Affidavit and exhibits presented by the Petitioner, asking the Court to order the Guernsey County Clerk of Courts Auto Title Office to issue, pursuant to R.C. 4505.10(A), a motor vehicle certificate of title in Petitioner's name as true and lawful owner of the motor vehicle described as follows:

Make/Model _____

Prior Title No. (if available) _____

Year: _____ Color: _____ VIN: _____

The Court finds that the evidence is sufficient to require the certificate of title to the described vehicle to be issued in Petitioner's name. The Court finds the Petition to be well taken and grants the same.

The Court hereby ORDERS the Guernsey County Clerk of Courts Auto Title Office to issue in Petitioner's name a motor vehicle certificate of title for the vehicle described herein. Petitioner shall present a copy of this order to the Clerk of Courts Auto Title Office when applying for the certificate of title. If, at the time of the application, there appears from the records of the Clerk to be any lien on the motor vehicle, the certificate of title shall contain a statement of the lien unless the application is accompanied by proper evidence of its extinction; all in accordance with R.C. 4505.10(A). The Clerk shall collect any applicable application fees and taxes at the time of the application for the certificate of title are made.

Judge Daniel G. Padden

Guernsey County Auto/Title Division

Jennifer Johnson, Clerk of Courts

What steps do I need to take to obtain a court ordered title in Guernsey County?



Step One: Lien Holder Record Search

Auto Title Division (740) 432-9235

- Inquire applicable lien holder information for the vehicle being petitioned at any of our four Guernsey County Title offices.
- A \$5.00 record search fee will apply for each title record search.
- Please make checks payable to: Guernsey County Clerk of Courts
- Please retain denial notice due to insufficient evidence letter from the Clerk of Courts office to file with your petition as a necessary exhibit.

Step Two: Vehicle Owner Record Search

Ohio BMV (614) 752-7671

www.bmv.ohio.gov

PO Box 16520

Columbus, Ohio 43216

- Complete BMV 1173 form and check the box “**last known address**” for the vehicle owner and remit the form, **via mail**, 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.
- BMV 1173 forms are available online at www.bmv.ohio.gov or by calling (614) 752-7671.
- A \$5.00 record search fee will apply for each title record search.
- Please allow at least 15 business days for processing. Please retain BMV 2433 form to file with your petition as a necessary exhibit.

Step Three: Certified Mail Notifications

United States Postal Service

www.usps.gov

- Mail a certified letter to the vehicle owner(s) and lien holder (s) using information provided by the BMV and Clerk of Courts offices notifying them of your intention to petition the Court for Certificate of Title.
- 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.

Step Four: Obtain OSHP Inspection Receipt

Ohio BMV (614) 752-7671

www.bmv.ohio.gov

- Visit your local deputy registrar office to purchase an OSHP Inspection Receipt (HP105).
- The cost for the OSHP Inspection Receipt is \$55.00.
- Visit www.bmv.ohio.gov or call (614) 752-7671 for your nearest deputy registrar location.





Step Five: OSHP Inspection

Ohio State Highway Patrol (614) 644-1667

www.statepatrol.ohio.gov

- To schedule your OSHP Inspection, contact the Ohio State Highway Patrol at (614) 644-1667.
- Be sure to inform OSHP that you need to obtain an HP106/HP106F form for a court ordered title.
- Bring your vehicle, inspection receipt (HP105) and any supporting documentation of ownership/possession to the inspection station on the day of your inspection. A VIN check will be performed by OSHP to determine whether the vehicle was stolen and/or if any brandings exist on the vehicle.
- Please retain the HP106/HP106F form you are provided by the OSHP. This document will be required as necessary evidence in your petition to the court.

Step Six: Filing your Petition to the Court of Common Pleas

Guernsey County Clerk of Courts

801 Wheeling Ave., D200

Cambridge, Ohio 43725

- Bring your original and a copy of the completed Petition for Court Order, an Affidavit in Support of the Petition and Judgment Entry to the Clerk of Courts General Division to file as a miscellaneous case. The original is for the case file, while one copy is for your records.
- The Affidavit will need to be certified. The Clerk of Courts office can do this for you with proper identification.
- Please see Section VI for a detailed list of recommended documentation to submit as evidence with your petition.
- A filing fee of \$50.00 will need to be paid at the time of filing your Petition.

Step Seven: Before the Judge

Common Pleas Court

801 Wheeling Ave., 3rd FL

Cambridge, Ohio 43725

- After you file the Petition and supporting evidence, the Clerk's office will prepare your file and forward to the Court. The Judge will consider your documents and any statement you may want to make to supplement your evidence.
- If the Court grants your Petition, the Judge will sign the Judgment Entry and the Clerk will mail a Certified Copy by regular FCM.

