

West Virginia Department of Transportation Division of Motor Vehicles

Lienholder's Affidavit for Repossession



1-800-642-9066
www.dmv.wv.gov

YOU MUST COMPLETE THIS ENTIRE FORM, FOLLOW ALL INSTRUCTIONS ON THE REVERSE SIDE, AND ENCLOSE ANY APPLICABLE FEES.

This affidavit is for use by the lienholder of a repossessed vehicle to: 1.) secure a repossessed vehicle *Certificate of Title*, issued in the name of the lienholder, if the vehicle is sold under the terms of a conditional sales contract; or 2.) secure a repossessed vehicle *Certificate of Title* in the name of the purchaser if the vehicle is sold at public or private auction under the terms of a deed of trust, chattel mortgage, or security agreement.

Description of Repossessed Vehicle/Trailer/Boat

□□□□	□□□□	□□□□□□□□	□□□□□□□□□□□□□□□□	□□
MODEL YEAR	MAKE	TITLE NUMBER	VEHICLE IDENTIFICATION NUMBER / SERIAL NUMBER / HULL NUMBER	STATE

Name of Defaulting Owner(s): _____

Address of Defaulting Owner(s): _____

Description of Lien Covering the Repossessed Vehicle/Trailer/Boat

Amount of Lien: □□□□, □□□□. □□ Date of Lien: □□/□□/□□□□ Kind of Lien: C/S/C D/T S/A

Lien in Favor Of: _____

Address of Lienholder: _____

Purchaser's Name at Sale: _____ Purchase Price of Vehicle at Sale: □□□□, □□□□. □□

Address of Purchaser: _____

The repossessing lienholder, represented by the named official below, hereby certifies that the vehicle, trailer, or boat described herein has been repossessed due to failure of the registered owner to meet their obligation in the settlement of the lien described on this affidavit. The lien contract covering this vehicle, trailer, or boat was executed in accordance with the applicable laws and provisions of the state in which the lien was originated. The lienholder named herein further certifies that the 'default terms' of the lien contract have been fully complied with regarding giving due notice and authority to dispose of the vehicle, trailer, or boat at public or private sale and that there are no liens which are superior to the lien stated in this affidavit. Additionally, there are no legal suits currently pending in any court concerning this repossession and the repossessing lienholder warrants the Certificate of Title for the described vehicle, trailer, or boat is free from all indebtedness and agree to defend it against any claims.

Printed Name of Repossessing Lienholder: _____

Printed Name of Authorized Official: _____

Authorized Official's Signature **(X)** _____ Date _____

Notary Public Certification NOTARY PUBLIC/OFFICIAL STAMP

State of: _____ County of: _____
Subscribed and sworn before me this _____ day of _____, 20_____.

(X) _____
NOTARY PUBLIC / AUTHORIZED OFFICIAL SIGNATURE

My Commission expires on _____ / _____ / _____.

Sales Contract Transactions

For a lienholder to secure a *Certificate of Title* for a repossessed vehicle/trailer/boat sold under the terms of a conditional sales contract, they must submit an *Application for Certificate of Title (DMV-1-TR)* and the most recent *Certificate of Title* that was issued in the name(s) of the registered owner(s) with this completed affidavit.

When a new *Certificate of Title* is produced for a sales contract transaction, the name of the lienholder will appear as the owner of the vehicle/trailer/boat.

Chattel Mortgages, Deeds of Trust, and Security Agreements

To secure a *Certificate of Title* for a repossessed vehicle/trailer/boat sold under the terms of a chattel mortgage, deed of trust, or security agreement, the purchaser(s) must submit an *Application for Certificate of Title (DMV-1-TR)* and the most recent *Certificate of Title* that was issued in the name(s) of the registered owner(s) with this completed affidavit.

When a new *Certificate of Title* is produced under the terms of the agreement of a chattel mortgage, deed of trust, or security agreement, the name of the purchaser(s) will appear as the owner(s) of the vehicle/trailer/boat.

When There is No Certificate of Title in the Lienholder's Possession

Complete details as to the disposition of the *Certificate of Title* must be submitted with this affidavit in the form of a letter. The letter must state that they do not have the *Certificate of Title* and whether the lienholder did not receive one from the DMV or that it was received and they longer have it. This affidavit must show a complete description of the vehicle being repossessed including the manufacturer, year, model, and VIN/Serial/Hull number of the vehicle/trailer/boat and must be signed by the lienholder and certified by a Notary Public.

In addition to this affidavit, the lienholder must submit an *Application for Certificate of Title (DMV-1-TR)*, a *Verification of Vehicle Identification Number (DMV-1B)*, an *Odometer Certification (DMV-TM-1)* if the vehicle is less than ten (10) years old, a copy of the original loan contract, and the letter specifically stating that the *Certificate of Title* is not in the lienholder's possession and why.

Non-West Virginia Titles (MUST BE EITHER A WV TITLE OR A WV LIENHOLDER)

To secure a repossessed *Certificate of Title* for a vehicle/trailer/boat titled in another state, the application must be accompanied by the most recent *Certificate of Title* and a copy of the loan agreement or UCC filing. If the repossessed property is a vehicle that is less than ten (10) years old, an *Odometer Certification (DMV-TM-1)* must also be submitted. If the vehicle/trailer/boat is recorded in a non-titling state a *Certificate of Registration* from the former owner must accompany the *Application for Certificate of Title (DMV-1-TR)* along with this completed affidavit. Verification by the state of registration and a copy of the loan agreement is also acceptable.