

General Title Information

Disclaimer: Please note that every transaction is different. The information provided below is for general purposes only and may NOT cover every scenario or possible transaction. To provide you complete/accurate information, you must provide your paperwork to an Auto Title office.

PROOF OF OWNERSHIP

Proof of ownership is required in Ohio. Certificate of Title must be obtained by application to any County Clerk of Courts.

Application must be accompanied by previous owner's assigned, notarized Certificate of Title or registration card, Bill of Sale from non-titled state accompanied by Motor Vehicle VIN Inspection Certificate. Certificate of Title fee is \$15.00, plus \$5.00 inspection fee, \$3.50 to inspection station and \$1.50 fee paid to the Clerk of Courts upon title issuance.

Upon transfer of ownership, seller must deliver assigned Certificate of Title indicating correct mileage to the buyer, for surrender to the Clerk of Courts, for issuance of a new Certificate of Title to the new owner. There is a \$5.00 penalty if new a Certificate of Title is not applied for within 30 days of purchase or transfer.

Titles are legal documents similar to a Deed to a house or property and must be assigned over to a LEGAL NAME, not a nickname or initials.

WHEN YOU BUY A VEHICLE/WATERCRAFT

An Ohio motor vehicle or watercraft dealer is required to provide you with your new title within 30 days of the purchase of your

vehicle or watercraft. Ensure the dealer has your *legal name* and your correct Social Security Number, address and county of residence.

If you buy a vehicle from an individual, you as the purchaser are responsible for the transfer of the title. The title may be obtained from a title office in any county. DO NOT complete any part of the application on the reverse side of the title, unless it is done before a Notary Public or in front of a Title Clerk at the Clerk of Courts office. All signatures must be notarized, and a VALID PICTURE ID is required. We cannot accept any ID other than a State or Government issued ID (driver's license, military, state ID...etc.)

WHEN YOU SELL A VEHICLE/WATERCRAFT

DO NOT fill out the assignment on the reverse side of the Certificate of Title until an actual sale has been made. Make certain that you know the proper name (no nicknames or initials) and address of the buyer before making the assignment. This information is completed on the top two (2) lines on the title assignment (name and address of Transferee/Buyer) You as the seller, are required to state the actual purchase price and odometer reading of the vehicle. You must sign the title exactly as the title was issued to you and your signature must be notarized. When sale is to an individual, make a copy of the completed, notarized assignment for your personal record of date of sale/transfer.

ALTERATIONS OF A TITLE

NEVER make any alterations, corrections, or erasures on a Certificate of Title. If this is done, the title becomes null and

void. A replacement title may be applied for in any county by the current title owner/owners with proper ID.

SALES TAX

Sales tax is required to be paid when you purchase an automobile. Sales tax is figured on the purchase price of the vehicle. If the vehicle is *new* and has *never been titled*, the tax will be figured on the difference between the purchase price and any trade-in amount.

If you buy a vehicle outside of Ohio, for use in Ohio, credit may be given for any tax paid to the other state and may be deducted from taxes due in Ohio. Proof of sales tax paid to the other state must be presented at the time title is issued.

PAYMENT OF SALES TAX

Ohio Revised Code §4506.06 requires the sales and use tax to be paid in cash, certified check or money order to the Clerk of Courts title office before a new title can be issued. Proper ID is required and credit cards (with additional processing fee), debit cards (with additional processing fee), and valid personal checks may be accepted.

LATE FILING FEE

There is a late filing fee of \$5.00 if the title is over 30 days from the date that the title was notarized, or in the case of a non-notarized out of state title, the date of purchase or transfer.

ODOMETER STATEMENT

State and Federal Law requires that an odometer statement be completed on most vehicle title transactions. The new Ohio Certificate of Title has the necessary statement on the reverse side of the title.

OUT OF STATE TITLES

When you are converting or transferring title to a vehicle that was last titled in your name in another state, the following is required:

1. The actual Certificate of Title

Copies are not acceptable. If the out of state title reflects an open lien, proper evidence of its extinction, otherwise the lien will be carried forward to the Ohio Certificate of Title. If your title is held by a lienholder, the title office can provide the necessary paperwork to request the original title. The title will be returned to the title office providing the paperwork.

2. Out of State Inspection Form (OSI)

Any vehicle previously registered or titled in another state must have a physical inspection, before being titled in Ohio. This is NOT a safety inspection. The inspection of your vehicle will verify the make, body type, mileage and manufacturer's serial number or vehicle identification number (VIN). All license bureau agencies offer this service and many car dealers do also. Call ahead to ask the service departments at the car dealers, to be sure as many do not perform this service and few offer it on Saturdays. You will be given the completed inspection

form. Please be sure that it bears the signature of the inspector and also the inspection station ID number. There is a fee of \$3.50 for this inspection. An additional \$1.50 will be charged by the clerk of court at the time of title issuance. The completed inspection form is valid for ***30 days ONLY***.

If you recently purchased the vehicle from out of state you need the out of state title assigned over to you along with the OSI and if purchased from a dealer, a bill of sale or invoice.

TWO OR MORE NAMES ON A TITLE

When a title is going into or coming out of more than one name, all parties must sign in the presence of a Notary Public or Deputy Clerk at the title office. The title will reflect the conjunction "and". An Ohio Title will not be issued with the conjunction "or". If an out of state title is being converted to an Ohio title and the out of state title shows "and/or", "or" it will be converted to "and".

POWER OF ATTORNEY

A person can sign or act on behalf of another person with a notarized Power of Attorney. The Power of Attorney (POA) is attached to the application for Certificate of Title and becomes a part of the permanent file. The POA must be either an original or a certified copy. A Trustee of a trust or an Executor or Administrator of an estate CANNOT give POA to anyone, they must sign all necessary paperwork themselves. If the POA is specific for one vehicle/watercraft or motor, you will need a separate POA for each transaction. Example: Need a Duplicate

then assign to yourself or someone else, you will need 2 POAs, *not copies*, originals.

DUPLICATE TITLES

If the original title is lost, stolen or destroyed, you may obtain a duplicate Certificate of Title. Need valid ID.

The duplicate title can only be applied for by the owner(s) or lienholder of the vehicle. If, after the duplicate has been issued and the original is found, the original must be returned to the title office for cancellation. If the title records show that there is a lien on the vehicle, you will need a Notarized Lien Release from the lienholder.

You will need the VIN, HIN or MIN of the vehicle, watercraft or motor. If the title was issued before 1993 and NOT IN GREENE COUNTY, you will need the current registration, or a copy of your insurance card or paperwork showing the VIN, HIN or MIN and showing you as owner. Valid ID is also required.

MEMORANDUM CERTIFICATE

If you are making payments on your vehicle or if you apply for a loan using your vehicle as collateral, always insist upon getting a Memorandum Certificate of Title. With this copy, you can obtain your first set of license plates. You CANNOT transfer ownership of your motor vehicle with this Memorandum copy.

SATISFYING YOUR LIEN OR MORTGAGE

Upon satisfaction of your lien or mortgage, you should receive the original Certificate of Title from the bank or finance company.

The lien should be discharged and there should be a clerk of courts stamp on the title that states LIEN CANCELLED. If not, you need to take the title to the title office to have the lien cancelled by the Clerk's office. Until this is done, your title records will continue to show an open lien in the State computer system and if your title is lost, stolen or destroyed, you will need a Notarized lien release from the lienholder to be able to apply for a duplicate title.

CHANGE OF NAME OR ADDRESS

It is not necessary to request a new Ohio Title, if your name has changed through marriage or court proceedings or if you moved (within Ohio) and have a change of address. When coming from out-of-state, an Ohio Title will be issued in your current name. However, if your out-of-state title is in a different name because of marriage or court proceedings, you will need to bring certified copy of the court paperwork.

DEATH OF A VEHICLE OWNER

Surviving Spouse

Pursuant to HB 432, upon the death of a married resident who owned at least one automobile at the time of death, the surviving spouse may transfer an unlimited number of vehicles -- cars, minivans, motorcycles and/or pick-up trucks (3/4 ton or less) only -- valued up to \$65,000, and one boat and one outboard motor. This can be done at any auto title office by showing a certified copy of death certificate along with your valid ID, and properly completing the application portion on the reverse side of the title or by completing a Surviving Spouse Affidavit. Affidavits are available from any title office or you can download them from this website. You **cannot** transfer title for, motor homes, mobile

homes, travel trailers, ATVs, golf carts, truck campers, trailers, trucks, etc., as surviving spouse under HB432, and must go through Probate proceedings.

WROS

A vehicle can be titled to two owners as joint tenants with rights of survivorship (WROS). For example, the title can be issued to: John Doe and Mary Smith (WROS). While both parties are living, both signatures are required. When one of the parties passes away, the survivor may bring the title, their valid ID, and a certified copy of the death certificate to transfer the title to the survivor. You will need to contact the License Bureau as the ownership changes when a new title is issued. They can advise you if you are required to obtain new plates.

When there's a Will and/or an Estate

When there is an estate involved and a will is probated through the courts, the Executor appointed will act for the decedent to handle the transfer of ownership of the motor vehicle(s) and/or watercraft. The Executor should obtain a *certified copy* of the court executed document showing the appointment of the Executor (Letters of Authority). The Executor should give the properly assigned Ohio title and a *certified copy of the appointment of the Executor* to the heir or the buyer. The heir or the buyer can take the assigned Ohio certificate of title and the *certified copy of the appointment papers* to the Clerk of Courts' title office to obtain a certificate of title in their name(s).

When there is no Will or Estate

When there is no will and the assets of the estate are \$35,000 or less, or the assets are \$100,000 or less and the surviving spouse is entitled to all of the assets, an heir or their attorney needs to file an Application to Relieve Estate from Administration with the Probate Court. If the Probate Court approves an Entry Relieving Estate from Administration, the court will appoint an individual to complete the transfer of the estates assets or order the Clerk of Court to transfer the title. The appointed individual should complete the assignment of the Ohio Certificate of Title to the new owner. They need to provide a certified copy of the Entry Relieving Estate from Administration for each motor vehicle and/or watercraft being transferred along with the assigned Ohio certificate of title. This court order should note the complete description, including the identification numbers, of the motor vehicles and/or watercraft being transferred and the authorized person appointed to transfer the title. The license plate should be removed from any vehicle upon the assignment of title.

TRANSFER ON DEATH

TOD allows an individual (*sole owner only*) who has title to a motor vehicle, watercraft or outboard motor to designate beneficiary or beneficiaries of the titled vehicle, watercraft or outboard motor. This includes ATVs, Off-Road, Motor homes and Built Homes (mobile homes). The owner must complete an affidavit designating the beneficiary or beneficiaries. The affidavit will require year, make, VIN/HIN/MIN and title number along with the legal name, SSN, address and date of birth of each beneficiary. The TOD affidavit must be notarized and submitted along with the title, the title will be replaced and the TOD or TODs will be added. There is a \$15.00 fee for the

replacement of the title and \$1.00 fee if the affidavit is completed and notarized in the title office. Then, upon the death of the titled owner, the beneficiary or beneficiaries submit the title along with ID, the title and a certified copy of the death certificate and a new title is issue to the beneficiary/ beneficiaries. You will need to contact the License Bureau as the ownership changes when a new title is issued. They can advise you if you are required to obtain new plates.

Trusts

A motor vehicle and/or watercraft may be in the name of a family trust. The name of the Family Trust (Smith Family Trust...Smith Family Revocable Trust...Smith Family Living Trust, etc.) not the name of the trustees (John and Mary Smith trustees), appears on the Ohio certificate of title. The individual(s) set out in the trust are required to sign all title and registration documents as trustees. An example is "The Smith Family Trust, by John Smith, Trustee".

You should consult an attorney, estate planner or trust consultant prior to placing a motor vehicle and/or watercraft into a family trust. They should advise you on matters of Family Trust and how they relate to probating an estate and the Ohio Estate Tax Return.

You will need to contact the License Bureau as the ownership changes when the title is issued to a trust. They can advise you if you are required to obtain new plates.

Commercial Trailers/Utility Trailers

Commercial trailers weighing over 4000 pounds are required to be titled. A certificate of Title is not required on any commercial or utility trailer weighing 4000 pounds or less. The sale, purchase or mortgage of a trailer is the same as a motor vehicle except for the odometer statement, which is not required. To obtain license plates contact any deputy registrar's office (license bureau).

Travel Trailers

All travel trailers, including fold down campers are required to be titled in Ohio.

Junked Cars

When you dismantle, destroy or change the character of your automobile so that it no longer is a complete car, you must surrender your Certificate of Title to the title office for cancellation. You will be asked to show ID and sign your name on the front of the "JUNK" title. When you sell your vehicle to a junk dealer, you must assign the title to the dealer and have your signature notarized.

Salvage

A Salvage title must be applied for and issued when the insurance company declares it *economically impractical to repair* the vehicle. If the insurance company tells you to get a Salvage title any and all owners will need to bring the original title along with proper ID to the title office and apply for a Salvage title. The title fee is \$4.00 and \$1.00 affidavit fee.

If you are planning to keep and repair the vehicle, you can

purchase the paperwork necessary to have it inspected by the State Highway Patrol at any license bureau. When you have completed rebuilding or repairing the vehicle you will then contact one of the State Patrol offices that perform Salvage inspections and make an appointment to have the vehicle inspected. The OSP can tell you what you need to bring with you. **Important Note: A vehicle that is evidenced by a Salvage title is not to be driven on the highways or roads of Ohio.**

Rebuilt Salvage

Once you've repaired or rebuilt the vehicle and had it inspected by the OSP, the Salvage title can be brought back to the title office by the owners, with proper ID and a Rebuilt title will be issued for a \$15.00 title fee and \$1.00 affidavit fee.