

# TITLE OR NON-REPAIRABLE CERTIFICATE APPLICATION

VSA 41 (10/10/2013)

**PURPOSE:** Use this application to request vehicle information and to apply for a title or non-repairable certificate as a result of a mechanic's or storage lien, as provided in Va Code §§46.2-644.01, 46.2-644.02 and 46.2-644.03.

**INSTRUCTIONS:** Complete this application using the instructions provided on page 2 of this form. The vehicle and company must be located in Virginia and the lien request must be for action that took place in Virginia.

VEHICLE LIEN INFORMATION	
Liens apply only to vehicles. Check applicable box: (both may apply) <input type="checkbox"/> I have a Storage Lien under Va Code § 46.2-644.01 in the amount of \$ _____ <input type="checkbox"/> I have a Mechanic's Lien under Va Code § 46.2-644.02 in the amount of \$ _____ <div style="text-align: right;">Total \$ _____</div>	Was this vehicle towed at the direction of law enforcement? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, enter date towed (mm/dd/yyyy): _____

MECHANIC OR STORAGE LIENHOLDER INFORMATION			
NAME OF COMPANY HOLDING VEHICLE		COMPANY TELEPHONE NUMBER (       )	
STREET ADDRESS	CITY	STATE	ZIP CODE
FEIN OR SOCIAL SECURITY NUMBER <small>(Required by the State Comptroller for debt off-set purposes per Va Code §§2.2-803, 2.2-4807, et.al)</small>	USE AGREEMENT NUMBER (if applicable)	ACCESS CODE (if applicable)	
STREET ADDRESS WHERE VEHICLE IS HELD (if different from above)	CITY	STATE	ZIP CODE    TELEPHONE NUMBER (       )

TITLE SERVICE INFORMATION			
(Complete this section only if a titling service is submitting this request on behalf of the lienholder.)			
TITLING SERVICE NAME		TELEPHONE NUMBER (       )	
STREET ADDRESS	CITY	STATE	ZIP CODE
FEIN OR SOCIAL SECURITY NUMBER <small>(Required by the State Comptroller for debt off-set purposes per Va Code §§2.2-803, 2.2-4807, et.al)</small>	USE AGREEMENT NUMBER (if applicable)	ACCESS CODE (if applicable)	

VEHICLE INFORMATION				
YEAR	MAKE	MODEL	BODY TYPE	COLOR
LICENSE PLATE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER	VALUE (check one) <input type="checkbox"/> \$3000 or less <input type="checkbox"/> \$3001 to \$7,500 <input type="checkbox"/> \$7,501 to \$25,000 <input type="checkbox"/> \$25,001 or more	
DMV verifies a vehicle's value using the NADA loan value. If there is good reason to believe that the vehicle should be valued at \$7,500 or less but the NADA loan value is more than \$7,500, you may present other creditable evidence to support lowering the vehicle value. An example would be an independent appraisal. This evidence will be reviewed by DMV to determine an appropriate value.				

INFORMATION REQUEST		
This is to request that DMV furnish information from its files on the above-described vehicle in accordance with Va. Code §§46.2-644.01, 46.2-644.02 and 46.2-644.03. I understand that it is unlawful to use information provided by DMV for any purpose other than the one stated. I certify that the information I have requested with this form will be used only for the stated purpose.		
I further certify and affirm that all information presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and correct. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.		
AUTHORIZED MECHANIC OR STORAGE LIENHOLDER NAME (print)	SIGNATURE	DATE(mm/dd/yyyy)
AUTHORIZED TITLE SERVICE REPRESENTATIVE NAME (print)	SIGNATURE	DATE(mm/dd/yyyy)

DMV USE ONLY					
DMV recognized the NADA Official Used Car Guide loan value: \$ _____			NCIC Checked: is vehicle reported stolen? <input type="checkbox"/> YES <input type="checkbox"/> NO		
NADA Loan Value: (Check applicable box.) <input type="checkbox"/> \$3,000 or less and \$3,001 to \$7,500 (DMV may process title application) <input type="checkbox"/> \$7,501 to \$25,000 (Must petition General District Court) <input type="checkbox"/> \$25,001 or more (Must petition the Circuit Court)					
CSR STAMP	CSR STAMP	CSR STAMP	WORK CENTER CLERK STAMP	VSA WORK CENTER STAMP	NLETS STAMP

## DEFINITIONS

For the purposes of a mechanic's or storage lien, the following definitions apply:

**Loan Value** -- the vehicle value as determined by the NADA OFFICIAL USED CAR GUIDE.

**Notice of Intent to Sell Virginia record found** -- The mechanic or lienholder must arrange for the vehicle to be sold at a public auction, and at least 10 days prior to the public auction:

- notify the owner and lienholder, if any, by certified mail return receipt, of the date, time and place of the auction, and
- advertise the date, time, place and terms of the auction in at least one public place (see definition below).

Note: If the MSL Transcript indicates that the vehicle owner is on active military duty or service, you must obtain a court order granting the enforcement of the lien as required under the Servicemembers Civil Relief Act, 50 U.S.C. App §535. DMV will begin collecting this information, effective July 1, 2008, on all title and registration applications; therefore the active military duty status will not be available for all customers. As a result, the MSL applicant will be responsible for obtaining the active military duty status from other sources.

**Notice of Intent to Sell, No Virginia or non-Virginia record found or the owner's address is unknown** -- The mechanic or storage lienholder must arrange for the vehicle to be sold at public auction, and at least 10 days prior to the public auction, advertise the date, time, place and terms of the auction in three different public places (see definition below).

**Public Place** -- premises owned by the Commonwealth of Virginia or a political subdivision thereof, or an agency of either which is open to the public and permits such postings.

## INSTRUCTIONS

To obtain a Virginia title or Non-Repairable Certificate for the vehicle, follow these instructions according to the vehicle's value.

Vehicle Value:	Instructions:
<b>\$3,000 or Less</b>	<p>The <b><u>mechanic or storage lienholder</u></b> may apply for a title or non-repairable certificate for a motor vehicle, free of all liens and claims of ownership of others, and may sell or otherwise dispose of the vehicle, provided all four of the following conditions are present:</p> <ul style="list-style-type: none"> <li>• No owner or any other lienholder or secured party was determined by the Department of Motor Vehicles (DMV).</li> <li>• The vehicle was manufactured at least six years prior to the current model year.</li> <li>• The vehicle has a value of \$3,000 or less.</li> <li>• The vehicle has been in the continuous custody of the mechanic or storage lienholder for at least 30 days.</li> </ul> <p>The <b><u>mechanic's or vehicle storage lien applicant</u></b> may present to DMV an Application for Certificate of Title and Registration (VSA 17A) with applicable fees or an Application for Non-Repairable Certificate (VSA 57) and this form.</p>
<b>\$3,001 to \$7,500</b>	<p>The <b><u>mechanic or storage lienholder</u></b> must:</p> <ul style="list-style-type: none"> <li>• Request DMV to search title records available for the vehicle owner and lienholder, if any; and</li> <li>• Make notice of the intent to sell the vehicle (as described above).</li> </ul> <p>The <b><u>purchaser</u></b> (after the auction) must present to DMV all of the following:</p> <ul style="list-style-type: none"> <li>• The results of DMV's record search and a completed Mechanic's or Storage Lien Application (VSA 41, pages 1 &amp; 3);</li> <li>• A completed Application for Certificate of Title and Registration (VSA 17A) with applicable fees or a completed Application for Non-Repairable Certificate (VSA 57);</li> <li>• A bill of sale from the mechanic or storage lienholder holding the auction;</li> <li>• A copy of the public auction notice and location of posting;</li> <li>• A copy of the original repair order; and</li> <li>• The return receipt for the certified mail, if delivered, or the certified letter (unopened) with the return receipt attached, if not delivered. The return receipt can be an electronic copy with signature from the U.S. Postal Service.</li> </ul>
<b>\$7,501 to \$25,000</b>	<p>The <b><u>mechanic or storage lienholder</u></b> must:</p> <ul style="list-style-type: none"> <li>• Request DMV to search title records available for the vehicle owner and lienholder, if any; and</li> <li>• Petition the General District Court, in the city or county where the vehicle is located, to order the sale of the vehicle.</li> </ul> <p>The <b><u>purchaser</u></b> must present to DMV all of the following:</p> <ul style="list-style-type: none"> <li>• The results of DMV's record search and a completed Mechanic's or Storage Lien Application (VSA 41, pages 1 &amp; 3)</li> <li>• A completed Application for Certificate of Title and Registration (VSA 17A), with applicable fees or a completed Application for Non-Repairable Certificate (VSA 57); and</li> <li>• An affidavit (VSA 41, page 3) from the sheriff stating that the vehicle was sold in compliance with the court's order.</li> </ul>
<b>\$25,001 or More</b>	<p>The <b><u>mechanic or storage lienholder</u></b> must:</p> <ul style="list-style-type: none"> <li>• Request DMV to search title records available for the vehicle owner and lienholder if any; and</li> <li>• Petition the Circuit Court, in the city or county where the vehicle is located, to order the sale of the vehicle.</li> </ul> <p>The <b><u>purchaser</u></b> must present to DMV all of the following:</p> <ul style="list-style-type: none"> <li>• The results of DMV's record search and a completed Mechanic's or Storage Lien Application (VSA 41, pages 1 &amp; 3);</li> <li>• Completed Application for Certificate of Title and Registration (VSA 17A), with applicable fees or a completed Application for Non-Repairable Certificate (VSA 57); and</li> <li>• An affidavit (VSA 41, page 3) from the sheriff stating that the vehicle was sold in compliance with the court's order.</li> </ul>

# TITLE OR NON-REPAIRABLE CERTIFICATE APPLICATION

## AFFIDAVIT OF COMPLIANCE WITH VA CODE §§ 46.2-644.01 THROUGH 46.2-644.03

**PURPOSE:** This affidavit must be completed by the mechanic or storage lienholder and must be submitted by the purchaser with the required documents, fees and taxes.

**INSTRUCTIONS:** Print or type. Follow the instructions on page 2.

PURCHASER INFORMATION			
PURCHASER'S NAME			VEHICLE SALE DATE (mm/dd/yyyy)
VEHICLE SALE PRICE \$	VEHICLE YEAR	VEHICLE MAKE	VEHICLE IDENTIFICATION NUMBER (VIN)

VEHICLE QUALIFICATION	
<input type="checkbox"/> Check this box if the vehicle was stored and qualified as abandoned under Va Code §§ 46.2-1209, 46.2-1213 or 46.2-1215 and at least 30 days have passed since the vehicle was towed at the direction of law enforcement.	DATE VEHICLE WAS TOWED (Should be same date as on page 1)
<input type="checkbox"/> Check this box if the vehicle qualifies to be titled or issued a non-repairable certificate under Va Code §46.2-644.03 when the value is \$3,000 OR LESS.	
<b>NOTE:</b> The mechanic or storage lienholder may apply to DMV for a Title or a Non-Repairable Certificate for a motor vehicle, free of all liens and claims of ownership of others, and may sell or otherwise dispose of the vehicle if all four of the following conditions are present: <ul style="list-style-type: none"> <li>• No owner or any other lienholder or secured party of the vehicle was determined by the Virginia DMV.</li> <li>• The vehicle was manufactured at least six years prior to the current model year.</li> <li>• The vehicle has a value of \$3,000 or less.</li> <li>• The vehicle has been in the continuous custody of the mechanic or storage lienholder for at least 30 days.</li> </ul>	

COMPLIANCE INFORMATION
As the Mechanic or Storage Lienholder, I have: (Check <u>all</u> applicable boxes)
<input type="checkbox"/> applied to DMV for vehicle owner and lienholder information as a result of a Mechanic's or Storage Lien that occurred in Virginia.
<input type="checkbox"/> made reasonable attempts to contact the lienholder(s), if any, by telephone on date(s) of _____.
<input type="checkbox"/> made notice of intent to sell the vehicle under the procedure prescribed by Va Code §§ 46.2-644.01 through 46.2-644.03.
<input type="checkbox"/> arranged for the vehicle to be sold under the procedure prescribed by Va Code §§ 46.2-644.01 through 46.2-644.03.

CERTIFICATION / AFFIDAVIT (Must be signed and dated by the mechanic or storage lienholder in the presence of a notary public.)		
I certify that I have complied with the requirements of Va Code § 46.2-644.03.		
I further certify and affirm that all information presented in this form is true and correct, that any documents I have presented to DMV are genuine, and that the information included in all supporting documentation is true and correct. I make this certification and affirmation under penalty of perjury and I understand that knowingly making a false statement or representation on this form is a criminal violation.		
MECHANIC OR STORAGE LIENHOLDER NAME (PRINT)	MECHANIC OR STORAGE LIENHOLDER SIGNATURE	DATE (mm/dd/yyyy)

NOTARIZATION (must be completed by notary public)		
Commonwealth of Virginia, city or county of _____ subscribed and sworn before me on this _____ day of _____ (MONTH) (YEAR) by _____ in the city or county and state aforesaid.		NOTARY PUBLIC SEAL
REGISTRATION NUMBER (6 digits)	MY COMMISSION EXPIRES (mm/dd/yyyy)	
NOTARY PUBLIC NAME	NOTARY PUBLIC SIGNATURE	

SHERIFF'S AFFIDAVIT			
The vehicle was sold in compliance with a court order.			
SHERIFF NAME (PRINT)	SHERIFF SIGNATURE	SHERIFF JURISDICTION	DATE (mm/dd/yyyy)

# TITLE OR NON-REPAIRABLE CERTIFICATE APPLICATION

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## This Page For DMV Use Only

**PURPOSE:** Only a DMV Special Agent may complete this section, if requested to inspect a vehicle.

**INSTRUCTIONS:** The customer service center completes the checklist of documents to be presented to DMV before a title is issued.

FOR DMV USE ONLY					
All applicants must present a completed VSA 17A or VSA 57, VSA 41, the DMV Record Search Results and all required documentation according to the vehicle's value.			Check documents presented: <input type="checkbox"/> Completed VSA 17A <input type="checkbox"/> Completed VSA 57 <input type="checkbox"/> Completed VSA 41 <input type="checkbox"/> DMV Record Search Results		
The following documents are listed according to the vehicle's loan value.					
<b>VEHICLE VALUE:</b>		<b>DOCUMENTATION REQUIRED:</b>			
<input type="checkbox"/> Documents presented to DMV for loan value of \$3,000 or Less		The mechanic or storage lienholder may apply for a title or non-repairable certificate to a vehicle, free of all liens and claims of ownership of others, and may sell or otherwise dispose of the vehicle provided all four of the following conditions are present: <input type="checkbox"/> No owner or any other lienholder or secured party was determined by the Virginia DMV. <input type="checkbox"/> The vehicle was manufactured at least six years prior to the current model year. <input type="checkbox"/> The vehicle has a loan value of \$3,000 or less. <input type="checkbox"/> The vehicle has been in the continuous custody of the mechanic or storage lienholder for at least 30 days.			
<input type="checkbox"/> Documents presented to DMV for loan value of \$3,001 to 7,500		<input type="checkbox"/> Bill of Sale from lienholder <input type="checkbox"/> Copy of public auction notice <input type="checkbox"/> Copy of original repair order		<input type="checkbox"/> Certified mail return receipt (signed) or electronic copy with signature from U.S. Postal Service <input type="checkbox"/> Undelivered certified mail (unopened) <input type="checkbox"/> List of place(s) notice(s) was/were posted	
<input type="checkbox"/> Documents presented to DMV for loan value of \$7,501 to \$25,000		<input type="checkbox"/> Sale documentation from sheriff <b>Sheriff must complete the VSA 41 affidavit (page 3)</b>		TELLER STAMP	
<input type="checkbox"/> Documents presented to DMV for loan value of \$25,001 or more		<input type="checkbox"/> Sale documentation from sheriff <b>Sheriff must complete the VSA 41 affidavit (page 3)</b>			
CSR REMARKS:					
DOCUMENTS WITNESSED BY NAME (print)			WITNESS SIGNATURE		DATE (mm/dd/yyyy)
VEHICLE IDENTIFICATION NUMBER (VIN)				ODOMETER READING	
YEAR (yyyy)	MAKE	MODEL	BODY TYPE		COLOR
VIN IS: (Check all applicable boxes) <input type="checkbox"/> Correct <input type="checkbox"/> Missing <input type="checkbox"/> Changed <input type="checkbox"/> Altered or tampered with			LICENSE PLATE NUMBER		STATE
Inspection indicates that cost to repair vehicle: <input type="checkbox"/> Appears to be non-repairable <input type="checkbox"/> Appears to be \$3,000 or less <input type="checkbox"/> Appears to be \$3,001 to \$7,500 <input type="checkbox"/> Appears to be \$7,501 to \$25,000 <input type="checkbox"/> Appears to be \$25,001 or more		<b>SPECIAL AGENT REMARKS</b>  <b>SPECIAL AGENT DECISION (decision of the special agent is final)</b> <input type="checkbox"/> Process may be handled by DMV. <input type="checkbox"/> Process must be handled by the court.			
SPECIAL AGENT NAME (print)			CODE NUMBER		SPECIAL AGENT SEAL
SPECIAL AGENT SIGNATURE			INSPECTION DATE		