

INSTRUCTION GUIDE TO OBTAIN A COURT ORDER FOR TRANSFER OF MOTOR VEHICLE TITLE

Use these forms if you bought a motor vehicle and the seller has not given you the title or other documents required by the division of Minnesota Driver and Vehicle Services (DVS) and DVS has not put your name on their records for the vehicle.

This is not an application for a title. By filing this motion, you are starting a district court action asking a judge to issue an order directing the Department of Public Safety to issue a title to a motor vehicle in your name. You will be required to prove that you are the rightful owner of the vehicle as well as why you are not able to obtain a title in your name through the usual means. Even if the court issues the order, you will still be required to apply for a title (submitting an original or certified copy of the order with the application) and pay all applicable taxes and fees, if you have not done so already.

You may NOT use this court process if Minnesota law requires a specific process for obtaining a title in your name under the particular circumstances. Some such circumstances include:

- If the title is in your name, but the title has been lost or destroyed. In that situation, you may apply for a duplicate title at any motor vehicle registration office. See MN 168A.09s1.
- If the vehicle was abandoned on your property. In that case, you must follow the procedures for disposition of abandoned property. See MN Statutes Chapter 168B.
- If you performed work on the vehicle and the owner has failed to pay for those services. In that case, you must follow the procedures for a satisfaction of a mechanic's lien. See MN Statutes 514.18 to 514.22.
- If the vehicle is part of an estate after the death of the owner. In that case, you must follow the procedures for the probate of an estate. See MN Statutes Chapters 524 & 525. Note that an executor or administrator of an estate can apply for a duplicate title in the name of the decedent.

If you still need to proceed, and DVS has told you that they cannot complete your request without a court order, you will need to open a case in District Court.

The following are required to open the case:

- Notice of Motion, Motion, and Affidavit for Order Directing Issuance of the Title to a Motor Vehicle; and
- [Filing fee](#) or Order waiving the fees.

Steps that must be followed to bring your case before the judge:

1. Complete all information on the Notice of Motion and the Motion and Affidavit for Order Directing Issuance of Title to a Motor Vehicle.

2. Sign and date the Notice of Motion and the Motion, and Affidavit for Order Directing Issuance of Title to a Motor Vehicle. Make copies for the last known registered owner(s), for the Commissioner of the Department of Public Safety, and for yourself.
3. File your original completed forms with Court Administration in Hennepin County. There is a fee for filing this action. If you cannot afford the filing fee, you may ask to have the fees waived. See [Fee Waiver \(IFP\)](#) for more information or ask Court Administration for the fee waiver forms.
4. You will get a Notice of Case Assignment in the mail with the Judge's name, phone number, and the court file number of your case. Write the court file number on the copies you kept for yourself and for the people you are serving.
5. Mail the copies of the Notice of Motion and the Motion and Affidavit for Order Directing Issuance of Title to a Motor Vehicle to the last known registered owner(s) and to the:

**The Commissioner of the Department of Public Safety
C/O MN Attorney General's Office, Public Safety Division
445 Minnesota Street Suite 1800
St. Paul MN 55101-2134**

Keep a copy for yourself.

6. Complete the Proof of Mailing(s) and file it with Court Administration in Hennepin County.
7. If you do not receive a signed order in the mail within 45 days after you file your Proof of Mailings, contact the judge regarding next steps.
8. If the Judge requires a hearing, you may choose to get legal advice from an attorney.
9. If you receive a signed order granting your request, take it to your local Driver and Vehicle Services center. They will require a certified copy of the order. If a certified copy was not provided to you, you will need to visit Court Administration in Hennepin County. There is a fee for each certified copy you request.