



# Possessory Liens/Abandoned Vehicles

## Oregon DMV

*In order to title a vehicle, one must have acquired a legal interest through some legal process.  
A tower claiming a possessory lien must have a valid tow business certificate issued under ORS 822.205*

### This packet contains:

- Information about asking advice from DMV;
- General information on some situations where ownership of a vehicle may be transferable through a possessory lien process;
- Information on abandoned vehicles;
- Information on documents and fees needed to apply for title;
- Answers to some frequently asked questions not otherwise covered in the above information;
- The DMV-issued forms to use when applying for title when a vehicle has been sold based on a possessory lien foreclosure; and
- Laws covering possessory liens and abandoned vehicles are listed on the forms and available online at: [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).

### Advice from DMV

DMV **cannot** advise you which, if any, of the laws or forms referenced in this packet fit your particular situation. There may be other laws or legal procedures that could be followed in disposing of an abandoned vehicle or obtaining an interest in a vehicle. If you have questions concerning which laws may apply or about the process for claiming or foreclosing a lien, you may wish to seek legal counsel for advice, or research on your own.

### General information

Some situations where ownership of a vehicle may be transferable through the possessory lien process:

1. Vehicles owned by a tenant or occupant legally responsible for rent, which was brought upon the leased premises, and retained by the landlord to secure payment of rent. The landlord may have a claim to a lien under ORS 87.162. If you foreclose a lien based on these statutes, title should be applied for using a Certificate of Possessory Lien Foreclosure, Form 735-518.
2. Vehicles abandoned on private property and removed at the request of the owner or lawful possessor of the property, in accordance with ORS 98. The person towing the vehicle may have a claim to a lien under ORS 98.830. If you foreclose a lien based on these statutes, title should be applied for using a Certificate of Possessory Lien Foreclosure, Form 735-519.
3. Vehicles repaired, stored, towed, etc, at the request of the owner or lawful possessor of the vehicle. The person who repaired, stored, or towed the vehicle may have a claim to a lien under ORS 87.152.
  - If foreclosing a lien based on ORS 87.152, title should be applied for using a Certificate of Possessory Lien Foreclosure, Form 735-520.
  - Surety Bond Form 735-522B or an irrevocable letter of credit in the amount of \$20,000 is required to be on file with DMV unless the lien claimant is: a franchised dealership, as defined under ORS 650.120 (5); a manufacturer, as defined under ORS 650.120; holds a towing business certificate issued under ORS 822.205; or is a national auction company titling the vehicle pursuant to ORS 87.152 (3).
  - Lien claimants required to file Surety Bond Form 735-522B or an irrevocable letter of credit must also submit to DMV an annual written certification that the bond or letter is still in effect.
4. Vehicles abandoned by a tenant with whom you have a lease or rental agreement (ORS 90.425). If you foreclose a lien based on this statute, title should be applied for using a Certificate of Possessory Lien Foreclosure, Form 735-521.
5. Vehicles towed at the request of an appropriate authority (Oregon State Police, Department of Transportation, a county, city) when the vehicle was abandoned or taken into custody by an appropriate authority and towed at the request of the authority. The person towing the vehicle may have a claim to a lien under ORS 819.160. If you foreclose a lien based on these statutes, title should be applied for using a Certificate of Possessory Lien Foreclosure, Form 735-6604.
6. Vehicles left or parked in violation of ORS 98.810 and removed from either proscribed property or from a parking facility at the request of the owner of the parking facility or the owner of the proscribed property. The tower, who removed the vehicle, may have a claim to a lien under ORS 98.812. If you foreclose a lien based on these statutes, title should be applied for using a Certificate of Possessory Lien Foreclosure, Form 735-6605.

# Possessory Liens/Abandoned Vehicles

## Oregon DMV

### Abandoned Vehicles

**In order to title any vehicle, including abandoned vehicles, one must have acquired a legal interest through a legal process.** Generally, it will not be the property owner, but whoever purchases the vehicle at a subsequent sale by a lien claimant or authority, who may apply for title.

#### **There are various provisions available for disposal of abandoned vehicles including the following:**

- For vehicles abandoned on a highway, public or private property, Oregon law (ORS Chapter 819) allows for an appropriate authority (e.g. state, county, city) to remove the vehicle. Some local governments may also have ordinances governing the disposal. If the vehicle is abandoned on federal property, federal laws would apply.
- For vehicles abandoned on private property, Oregon law (ORS 98.830) states:  
"A person who is the owner, or is in lawful possession of private property on which a vehicle has been abandoned may have a tower tow the vehicle from the property if:
  - (1) The person affixes a notice to the vehicle stating that the vehicle will be towed if it is not removed. The notice required by this subsection must remain on the vehicle for 72 hours before the vehicle may be removed.
  - (2) The person fills out and signs a form\* that includes:
    - (a) a description of the vehicle to be towed;
    - (b) the location of the property from which the vehicle will be towed;
    - (c) statement that the person has complied with subsections (1) of this section.

**\*NOTE:** DMV does not provide you with a form. The information needed {described in (2) (a),(b),(c)} can be written on a separate piece of paper. (The form should be given to the tow company who removes the vehicle.)

- For vehicles abandoned on private property, ORS 819.280 allows a person to make a request to an authority (state, city, or county) to dispose of a vehicle abandoned on private property, when it is appraised at a value of \$500 or less, by a person who holds a certificate issued under ORS 819.480, and the person making the request is determined to be in lawful possession of the vehicle. If the authority chooses to dispose of the vehicle, the authority may only dispose of the vehicle and its contents to a person who holds a valid dismantler certificate issued under ORS 822.110. The authority may charge the person requesting the disposal a fee to dispose of the vehicle.
- For vehicles left or parked in a parking facility or on proscribed property defined in ORS 98.805, ORS 98.812 states that "...the owner of the parking facility or the owner of the proscribed property, may have a tower tow the vehicle from the parking facility or the proscribed property and place the vehicle in storage at a secure location under the control of the tower." The statute further states that the tower is entitled to a lien on the vehicle and contents.
- There may be other provisions that could apply, such as when the vehicle owner was a former tenant of the property owner and owes rent, or when the property owner performed labor on the vehicle or stored the vehicle at the request of the vehicle owner or lawful possessor. Again, you may wish to seek legal counsel or research on your own if you have questions about whether you can claim a lien, or what steps you must follow to claim and to foreclose on such a lien.

#### **Titling a previously abandoned vehicle:**

To obtain title, a person must have acquired a legal interest in a vehicle. In most cases people do this through some form of purchase or financial agreement; that change of interest is accomplished through the voluntary assignment of the existing title for the vehicle.

In the case of an abandoned vehicle, any transfer of interest will be involuntary and require some form of legal process (operation of law). One cannot simply obtain title because the vehicle was left on one's property.

# Possessory Liens/Abandoned Vehicles

## Oregon DMV

In most cases of abandoned vehicles, the existing title is not available for transfer. In lieu of a properly endorsed title, and in addition to any other title requirements, DMV must receive satisfactory evidence of the facts entitling the applicant to title. For example:

For an abandoned vehicle sold by an appropriate authority (for example, state police, county sheriff, or a city) and where the vehicle is not otherwise subject to salvage title procedures, the purchaser may apply for title. A bill of sale to the purchaser from the appropriate authority will be required in support of the application for title. The bill of sale must describe the vehicle, identify the statutes or legal authority under which the sale was held, and indicate that former interest holders were notified.

For a vehicle sold through foreclosure of a lien by the party who towed the vehicle, whoever purchased the vehicle at the lien foreclosure sale may apply for title. A certification from the tow company concerning the lien and foreclosure and to whom the vehicle was sold is required in support of the title application. (Tow companies can obtain possessory lien forms from DMV which contain this certification.)

For a vehicle sold through foreclosure of some other type of lien foreclosure, whoever acquires the vehicle through the foreclosure process may apply for title. A certification from the lien claimant is required in support of the title application. Certification forms for the more common liens (for example, possessory labor/storage liens, landlord liens) are included in this packet or may be obtained from DMV.

### Documents and fees needed to apply for title:

After the lien has been foreclosed, the appropriate certificate of possessory lien foreclosure form must be **fully** completed and signed by the person foreclosing the lien. Towers must include a valid tow plate number. The form is then given to the purchaser. The purchaser or a subsequent buyer may then apply for title. Towers must use the same lien claimant name as is on the valid tow plate record.

To apply for title, the purchaser must submit:

- An Application for Title and Registration, Form 735-226, fully completed and signed;
- **ONE** of the Certification of Possessory Lien forms (the one that covers your situation), fully completed and signed by the authorized representative of the business or the person claiming the lien. Your application will be rejected if you submit more than one type of form for certifying foreclosure; and
- The appropriate title application fee. If the vehicle was last titled in Oregon, you must submit an application for title to DMV within 30 days from the date of the auction to avoid paying late fees.

**NOTE:** If the vehicle was last titled in another state, or must be titled as assembled, reconstructed or replica, DMV must complete a physical inspection of the vehicle's identification number. The fee for the inspection is \$7.

### Lien Claimants Required To Keep Records

Lien claimants are required to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records must be retained for a period of five years by the lien claimant. The following records must be retained:

- A signed and dated copy of an original tow notification, repair order, an impound form from law enforcement or other similar form or document showing how the lien claimant acquired possession of the subject vehicle, or a written record that identifies the person or entity that authorized the lien claimant to take possession of the subject vehicle and the time and date of contact;
- A signed and dated copy of an original claim of possessory lien/notice of foreclosure sale form applicable to the possessory lien or similar form or document showing the owner of the vehicle was notified of the possessory lien;
- A signed and dated copy of the DMV certificate of possessory lien foreclosure form applicable to the possessory lien as specified in OAR 735-020-0012 for each subject vehicle; and
- A bill of sale, if applicable.

A lien claimant must notify DMV within 10 days of the sale or transfer of interest of a vehicle. DMV must receive a completed and signed Notice of Sale or Transfer of Vehicle (DMV Form 6890), if the subject vehicle is covered by an Oregon title; or a completed and signed Notice of Lien Foreclosure; Sale or Transfer of Vehicle (DMV Form 6890A), if the subject vehicle is not covered by an Oregon title.

# Possessory Liens/Abandoned Vehicles Oregon DMV Answers to Frequently Asked Questions

## Out-of-State Possessory Liens:

- I have a possessory lien document, sheriff's sale document, or similar ownership document issued by a jurisdiction outside of Oregon. Can I apply for an Oregon certificate of title using one of these documents?

No. Oregon DMV will not accept an application for vehicle title when ownership is being transferred under out-of-state abandoned vehicle laws or out-of-state foreclosure laws. An Oregon title will be issued only after the lien claimant or purchaser is issued a certificate of title by the jurisdiction where the foreclosure occurred.

## Donating an Abandoned Vehicle:

- A vehicle has been abandoned on my property. Can I donate it to a charity?

No, you cannot give away an abandoned vehicle, even if it's on your property unless you are a landlord in accordance with ORS 90.425. See Certificate of Lien Foreclosure, Form 735-521. Oregon law contains several specific provisions for the disposal of abandoned vehicles. See the "Abandoned Vehicles" section for additional information on the disposal of abandoned vehicles.

## Possessory Lien Foreclosure Forms:

- Do I need to complete the entire form?

Yes. A possessory lien foreclosure form must be fully completed and signed before it will be accepted.

- Are there additional forms that need to be completed?

See the "Documents and Fees" section for additional information on the forms that you will need to apply for title after a possessory lien is officially foreclosed.

- Are there special instructions for completing the form?

No. Just be sure that each section of the form is complete and that you have signed the form. Your signature certifies that you have complied with all applicable lien foreclosure laws and rules. If you're not sure, you may want to seek legal advice from an attorney.

- Which possessory lien foreclosure form do I use to file a possessory lien?

DMV cannot advise you on the particular foreclosure process or foreclosure form that applies to your situation. If you're not sure, you may want to seek legal advice from an attorney.

- Can I just complete and submit all DMV possessory lien forms?

No. Your application will be rejected if you submit more than one form. Each form references different laws, rules and requirements. It's your responsibility to know the laws that apply to your situation. If you're not sure, you may want to seek legal advice from an attorney.

## Professional Lien Services:

- Am I required to use a professional lien service?

No. You can file the lien yourself or use a professional lien service. In either case, all applicable laws and rules must be followed.

## Requesting Information on a Vehicle Owner:

- Am I required to contact the vehicle owner when foreclosing a lien?

It depends on the type of lien that is being foreclosed and the laws that apply. If you're not sure, you may want to seek legal advice from an attorney.

- Can I request information from DMV to notify the vehicle owner for purposes of a lien foreclosure?

Yes. DMV will process a records request for this purpose if the request is made in writing, includes a \$4 processing fee and contains all of the following information:

- The vehicle year, make, model, vehicle identification number (VIN) and license plate number; and
- A signed statement that the record information is requested for purposes of "providing notice of a lien foreclosure." Include a citation of the applicable law(s) authorizing the foreclosure (ORS #, Local Ordinance #, etc.). In addition to the requirements above, records requests from a business must include the name of the business or be on official letterhead stationery and must be signed by an authorized representative.

**Request Example:** I hereby request the vehicle record for the vehicle listed below. Any personal information contained in the record will be used solely for the purpose of providing notice of a lien foreclosure under ORS 123.456. 1994 Ford PU, plate # ABC123, VIN 123456789ABCDEFG.

Submit your request and \$4 fee to: DMV Record Services Unit, 1905 Lana Ave NE, Salem, OR 97314.



DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1905 LANA AVE NE, SALEM OREGON 97314

## CERTIFICATE OF POSSESSORY LIEN FORECLOSURE (ORS 87.162 - LANDLORDS LIEN )

(You may obtain copies of laws at your local library or at [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).)

This certification is for use in support of Oregon title applications where transfer of ownership results from the foreclosure of a possessory landlord's lien created under ORS 87.162, **where the vehicle owned by a tenant or occupant legally responsible for rent**, was brought upon the leased premises, and retained by the landlord to secure payment of rent and such advances made upon behalf of the tenant. This form **may not be used where there is previously perfected security interest** in a vehicle, and where as provided in ORS 87.182 the lien must be foreclosed by suit.

ORS 822.093 requires lien claimants to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records, including a signed and dated copy of this DMV certificate of possessory lien foreclosure form, must be retained for a period of five years by the lien claimant. Failure to maintain lien records may result in a civil penalty of up to \$1,000 per violation.

I certify that:

- The following described vehicle was owned by a tenant or occupant legally responsible for rent and was brought upon the leased premises by said person; and
- I, or the firm I represent, am the landlord of the leased property and a possessory landlord's lien is attached to the vehicle pursuant to ORS 87.162 and 87.166.
- I foreclosed the possessory lien in accordance with the provisions of ORS 87.172 and ORS 87.176 to 87.206; and
- The vehicle described below was sold at public auction to:

**Buyer's name and date of auction required.**

\_\_\_\_\_ (Buyer's printed name)

\_\_\_\_\_ (Location of auction)

\_\_\_\_\_ (Date of auction)

PLATE NUMBER	STATE OF ISSUE	VEHICLE YEAR	MAKE	BODY STYLE	MODEL
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VEHICLE IDENTIFICATION NUMBER

**I (the lien claimant) further certify that all information given is true and accurate and that I am making this certification in support of an application for title. I understand it is a crime under ORS 803.075 to certify the truth of a statement when I know the statement is not true. Such a crime is a Class A misdemeanor punishable by a jail sentence of up to 1 year and a fine of up to \$6,250, or both.**

PRINTED NAME OF LIEN CLAIMANT	PHONE NUMBER
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STREET ADDRESS	CITY	STATE	ZIP CODE
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SIGNATURE OF LIEN CLAIMANT <b>X</b>	DATE
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**COMPLETE IN FULL AND SIGN.**  
This form must be submitted to DMV with the application for title.





DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1905 LANA AVE NE, SALEM OREGON 97314

# CERTIFICATE OF POSSESSORY LIEN FORECLOSURE (ORS 98.830 - TOWING ABANDONED VEHICLE FROM PRIVATE PROPERTY)

(You may obtain copies of laws at your local library or at [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).)

This certification is for use in support of Oregon title applications where transfer results from the foreclosure of a lien created under ORS 98.830 as the result of an abandoned vehicle being removed from private property at the request of the owner or lawful possessor of the property.

ORS 822.093 requires lien claimants to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records, including a signed and dated copy of this DMV certificate of possessory lien foreclosure form, must be retained for a period of five years by the lien claimant. Failure to maintain lien records may result in a civil penalty of up to \$1,000 per violation.

I certify that:

- I, or the firm I represent, at the request of the owner or lawful possessor of private property, removed the following described vehicle from said property, as provided in ORS 98.830.
- I foreclosed the possessory lien in accordance with ORS 98.812(2), ORS 98.854, ORS 87.172(3) and ORS 87.176 to 87.206; and
- I complied with **all** applicable statutory requirements, including notification of all security interest holders as listed on the *Certificate of Title*, in accordance with ORS 87.196.
- The vehicle described below was sold at public auction to:

**Buyer's name and date of auction required.**

\_\_\_\_\_ (Buyer's printed name)

\_\_\_\_\_ (Location of auction)

\_\_\_\_\_ (Date of auction)

PLATE NUMBER	STATE OF ISSUE	VEHICLE YEAR	MAKE	BODY STYLE	MODEL
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VEHICLE IDENTIFICATION NUMBER
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**I (the lien claimant) further certify that all information given is true and accurate and that I am making this certification in support of an application for title. I understand it is a crime under ORS 803.075 to certify the truth of a statement when I know the statement is not true. Such a crime is a Class A misdemeanor punishable by a jail sentence of up to 1 year and a fine of up to \$6,250, or both.**

PRINTED NAME OF LIEN CLAIMANT (A TOWER MUST HAVE A VALID TOW BUSINESS CERTIFICATE ISSUED UNDER ORS 822.205)	PHONE NUMBER
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STREET ADDRESS	CITY	STATE	ZIP CODE
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SIGNATURE OF LIEN CLAIMANT	DATE	TOWER PLATE NUMBER (TW PLATE)
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**X**

**COMPLETE IN FULL AND SIGN.**  
This form must be submitted to DMV with the application for title.







DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1905 LANA AVE NE, SALEM OREGON 97314

# CERTIFICATE OF POSSESSORY LIEN FORECLOSURE (ORS 87.152 - LIEN FOR LABOR AND MATERIALS)

# FORM 520

(You may obtain copies of laws at your local library or at [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).)

This certification is for use in support of Oregon title applications where transfer results from the foreclosure of a possessory lien created under ORS 87.152. That statute provides for a lien for labor or materials expended on a chattel (including a vehicle) in situations where **at the request of the owner or lawful possessor of a chattel (e.g., vehicle)**, a person makes, alters, repairs, transports, stores, pastures, cares for, provides services for, supplies materials for or performs labor on a chattel.

ORS 822.093 requires lien claimants to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records, including a signed and dated copy of this DMV certificate of possessory lien foreclosure form, must be retained for a period of five years by the lien claimant. Failure to maintain lien records may result in a civil penalty of up to \$1,000 per violation.

I certify that:

- I, or the firm I represent, at the request of the owner or lawful possessor, performed a service pursuant to ORS 87.152 and 87.166 on the vehicle described below.
- I foreclosed the possessory lien in accordance with the provisions of ORS 87.172 and ORS 87.176 to 87.206 and 822.205 if a tower; and
- I complied with **all** applicable statutory requirements, including notification of all security interest holders as listed on the *Certificate of Title*, in accordance with ORS 87.196.
- The vehicle described below was sold or transferred at public auction to:

### Buyer or transferee's name, location of auction, date of auction required.

**Attention Buyer:** If the lien claimant is required to file a surety bond or irrevocable letter of credit with DMV but has not, this lien certification will be considered invalid.

\_\_\_\_\_ (Buyer's printed name)

\_\_\_\_\_ (Location of auction)

\_\_\_\_\_ (Date of auction)

Check this box if you are a national auction company titling the vehicle pursuant to ORS 87.152(3).

PLATE NUMBER (IF AVAILABLE)	STATE OF ISSUE (IF KNOWN)	VEHICLE YEAR	MAKE	BODY STYLE	MODEL
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VEHICLE IDENTIFICATION NUMBER

If not a manufacturer, franchised motor vehicle dealership, or registered tower, I certify that a surety bond of \$20,000 or irrevocable letter of credit is in effect and filed with DMV on the date of this action. (If a current surety bond or letter is not on file with DMV, this possessory lien is invalid.) I (the lien claimant) further certify that all information given is true and accurate and that I am making this certification in support of an application for title. I understand it is a crime under ORS 803.075 to certify the truth of a statement when I know the statement is not true. Such a crime is a Class A misdemeanor punishable by a jail sentence of up to 1 year and a fine of up to \$6,250, or both.

PRINTED NAME OF LIEN CLAIMANT (NAME MUST BE THE SAME AS ON THE SURETY BOND OR IRREVOCABLE LETTER OF CREDIT IF APPLICABLE)	PHONE NUMBER (REQUIRED)
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STREET ADDRESS	CITY	STATE	ZIP CODE
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SIGNATURE OF LIEN CLAIMANT <b>X</b>	DATE
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## COMPLETE IN FULL AND SIGN.

This form must be submitted to DMV with the application for title.





DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1905 LANA AVE NE, SALEM OREGON 97314

# CERTIFICATE OF POSSESSORY LIEN FORECLOSURE (ORS 90.425 – LIEN FOR PERSONAL PROPERTY ABANDONED BY TENANT)

(You may obtain copies of laws at your local library or at [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).)

This certification is for use in support of Oregon title applications where transfer results from the foreclosure of a possessory lien created under ORS 90.425. The statute provides for a lien which allows a landlord to dispose of property abandoned by a tenant with whom they have a lease or rental agreement.

ORS 822.093 requires lien claimants to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records, including a signed and dated copy of this DMV certificate of possessory lien foreclosure form, must be retained for a period of five years by the lien claimant. Failure to maintain lien records may result in a civil penalty of up to \$1,000 per violation.

I certify that:

- I have attached a possessory lien on the following described vehicle, pursuant to ORS 90.425;
- I foreclosed the possessory lien in accordance with the provisions of ORS 90.425; and
- I complied with **all** applicable statutory requirements, including notification of all security interest holders as listed on the *Certificate of Title*, in accordance with ORS 87.196.
- The vehicle described below was sold at public auction to:

**Buyer's name and date of auction required.**

\_\_\_\_\_ (Buyer's printed name)

\_\_\_\_\_ (Location of auction)

\_\_\_\_\_ (Date of auction)

**OR**

- I, or the firm I represent, have determined from county records that the current fair market value of the vehicle is \$1,000 or less or so low that the cost of storage and conducting a public sale probably exceeds the amount that would be realized from the sale.

The vehicle has been disposed of or given without consideration to the following unrelated person or nonprofit organization:

\_\_\_\_\_ (Given to); \_\_\_\_\_ (Date of disposal)

PLATE NUMBER	STATE OF ISSUE	VEHICLE YEAR	MAKE	BODY STYLE	MODEL
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VEHICLE IDENTIFICATION NUMBER

**I (the lien claimant) further certify that all information given is true and accurate and that I am making this certification in support of an application for title. I understand it is a crime under ORS 803.075 to certify the truth of a statement when I know the statement is not true. Such a crime is a Class A misdemeanor punishable by a jail sentence of up to 1 year and a fine of up to \$6,250, or both.**

PRINTED NAME OF LIEN CLAIMANT	PHONE NUMBER
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STREET ADDRESS	CITY	STATE	ZIP CODE
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SIGNATURE OF LIEN CLAIMANT	DATE
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**X**

**COMPLETE IN FULL AND SIGN.**

**This form must be submitted to DMV with the application for title.**





DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1905 LANA AVE NE, SALEM OREGON 97314

# SURETY BOND

BOND NUMBER

**NOTE:** TO BE COMPLETED BY BONDING COMPANY. FAILURE TO ACCURATELY COMPLETE THIS FORM WILL CAUSE DELAY. PLEASE TYPE OR PRINT LEGIBLY WITH INK.

**LET IT BE KNOWN:**

THAT \_\_\_\_\_  
(NAME OF INDIVIDUAL LIEN CLAIMANT, OR NAMES OF ALL BUSINESS OWNERS, PARTNERS, OR NAME OF CORPORATION)

DOING BUSINESS AS \_\_\_\_\_ ( ) \_\_\_\_\_  
(BUSINESS OR PERSONAL NAME AS GIVEN ON THE CERTIFICATE OF POSSESSORY LIEN FORECLOSURE, FORM 520) (TELEPHONE NUMBER)

HAVING ITS PRINCIPAL PLACE OF BUSINESS AT \_\_\_\_\_  
(STREET ADDRESS, CITY, STATE, ZIP CODE)

AS RESPONSIBLE PERSON / PERSONS, AND \_\_\_\_\_  
(SURETY NAME) ( ) \_\_\_\_\_  
(ADDRESS, CITY, STATE, ZIP CODE) (TELEPHONE NUMBER)

**THIS SURETY BOND MUST BE MAILED TO:**  
**DMV BUSINESS LICENSING**  
**1905 LANA AVE NE**  
**SALEM, OR 97314**

THIS SURETY BOND IS REQUIRED TO BE IN EFFECT AT ANY TIME DESCRIBED IN ORS 87.152, INCLUDING WHEN SUBMITTING A CERTIFICATE OF POSSESSORY LIEN FORECLOSURE. THE PERSON REQUIRED TO MAINTAIN THIS SURETY BOND MUST SUBMIT A LETTER TO DMV YEARLY CERTIFYING THIS BOND REMAINS IN EFFECT.

A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF \_\_\_\_\_, AND AUTHORIZED TO TRANSACT A SURETY BUSINESS IN THE STATE OF OREGON, AS SURETY, IS HELD AND FIRMLY BOUND TO THE STATE OF OREGON IN THE PENAL SUM OF \$20,000 FOR EACH YEAR THE CERTIFICATE IS VALID, FOR THE PAYMENT OF WHICH THE RESPONSIBLE PERSON / PERSONS AND SURETY JOINTLY AND SEVERALLY BIND THEMSELVES AND THEIR RESPECTIVE SUCCESSORS.

WHEREAS, THE RESPONSIBLE PERSON / PERSONS ARE FORECLOSING A POSSESSORY LIEN CREATED UNDER ORS 87.152; THE CONDITION OF THIS OBLIGATION IS SUCH THAT WHEN THE ABOVE NAMED RESPONSIBLE PERSON / PERSONS FORECLOSES THE LIEN, SAID RESPONSIBLE PERSON / PERSONS SHALL CONDUCT SUCH BUSINESS WITHOUT FRAUD OR FRAUDULENT REPRESENTATION, AND WITHOUT A VIOLATION OF DUTY SET FORTH IN ORS 646A.480 TO 646A.495 AND THE PROVISIONS OF THE OREGON VEHICLE CODE SPECIFIED IN ORS 87.152 AND 822.093, THEN AND IN THAT EVENT THIS OBLIGATION TO BE VOID, OTHERWISE TO REMAIN IN FULL FORCE AND EFFECT UNLESS CANCELLED PURSUANT TO ORS 87.152(2)(C)(A).

THIS BOND SHALL BECOME EFFECTIVE ON THE DATE LISTED BELOW AND SHALL BE DEEMED CONTINUOUS IN FORM AND REMAIN IN EFFECT FOR THE ENTIRE PERIOD FOR WHICH CERTIFICATION IS GRANTED UNTIL DEPLETED BY CLAIMS PAID, UNLESS THE SURETY CANCELS THE BOND. THIS BOND MAY BE CANCELED BY THE SURETY GIVING WRITTEN NOTICE OF SUCH CANCELLATION TO THE DRIVER AND MOTOR VEHICLE SERVICES DIVISION OF THE OREGON DEPARTMENT OF TRANSPORTATION.

THIS BOND SHALL BE ONE CONTINUING OBLIGATION AND THE LIABILITY OF THE SURETY SHALL BE LIMITED TO THE AMOUNT OF THE PENALTY OF THIS BOND REGARDLESS OF WHETHER THIS BOND IS RENEWED OR OTHERWISE CONTINUED IN EFFECT BEYOND THE ORIGINAL PERIOD THE SURETY BOND IS IN EFFECT, IRRESPECTIVE OF THE NUMBER OF YEARS IT IS IN EFFECT.

THIS BOND IS EFFECTIVE \_\_\_\_\_  
(MONTH, DAY, YEAR)

**-- ANY ALTERATION VOIDS THIS BOND --**

IN WITNESS WHEREOF, THE SAID RESPONSIBLE PERSON / PERSONS AND SAID SURETY HAVE EACH EXECUTED THIS BOND BY ITS AUTHORIZED REPRESENTATIVE(S) AND HAVE AFFIXED THE SURETY CORPORATE SEAL HEREUNTO

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_  
(DAY) (MONTH) (YEAR)

SIGNATURE (RESPONSIBLE PERSON / PERSONS) <b>X</b>	TITLE
SIGNATURE OF SURETY (AUTHORIZED REPRESENTATIVE) <b>X</b>	TITLE

<b>SURETY'S AGENT OR REPRESENTATIVE MUST COMPLETE THIS SECTION:</b>	<b>PLACE SURETY SEAL BELOW</b>
IN THE EVENT A PROBLEM ARISES CONCERNING THIS BOND, CONTACT:	
NAME	TELEPHONE NUMBER ( )
ADDRESS	
CITY, STATE, ZIP CODE	





DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1985 LANA AVE NE, SALEM OREGON 97314

# CERTIFICATE OF POSSESSORY LIEN FORECLOSURE (ORS 819.160)

(You may obtain copies of laws at your local library or at [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).)

This certification is for use in support of Oregon title applications where transfer results from the foreclosure of a lien created under ORS 819.160 as a result of a vehicle being towed at the request of an appropriate authority (e.g., Oregon State Police, city police, sheriff, the Department of Transportation, a county or city agency with appropriate authority) where the vehicle is:

- An abandoned vehicle appraised at a value of more than \$500 by a person who holds a certificate under ORS 819.480;
- A vehicle taken into custody under ORS 819.110 or 819.120; unless it is appraised at \$500 or less;
- A vehicle left parked or standing in violation of ORS 811.555 or 811.570; or
- A vehicle taken into custody under ORS 809.720 for violation of ORS 806.010.

ORS 822.093 requires lien claimants to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records, including a signed and dated copy of this DMV certificate of possessory lien foreclosure form, must be retained for a period of five years by the lien claimant. Failure to maintain lien records may result in a civil penalty of up to \$1,000 per violation.

I certify that:

- I, or the firm I represent, towed the following described vehicle at the request of an appropriate authority, and that a possessory lien as provided in ORS 809.720 or ORS 819.160 is attached.
- I foreclosed the possessory lien in accordance with ORS 98.812(3), ORS 87.172(3) and ORS 87.176 to 87.206; and
- I complied with **all** applicable statutory requirements.
- The vehicle described below was sold at public auction to:

**Buyer's name and date of auction required.**

\_\_\_\_\_ (Buyer's printed name)

\_\_\_\_\_ (Location of auction)

\_\_\_\_\_ (Date of auction)

PLATE NUMBER	STATE OF ISSUE	VEHICLE YEAR	MAKE	BODY STYLE	MODEL
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VEHICLE IDENTIFICATION NUMBER

**I (the lien claimant) further certify that all information given is true and accurate and that I am making this certification in support of an application for title. I understand it is a crime under ORS 803.075 to certify the truth of a statement when I know the statement is not true. Such a crime is a Class A misdemeanor punishable by a jail sentence of up to 1 year and a fine of up to \$6,250, or both.**

PRINTED NAME OF LIEN CLAIMANT (A TOWER MUST HAVE A VALID TOW BUSINESS CERTIFICATE ISSUED UNDER ORS 822.205)	PHONE NUMBER
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STREET ADDRESS	CITY	STATE	ZIP CODE
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SIGNATURE OF LIEN CLAIMANT <b>X</b>	DATE	TOWER PLATE NUMBER (TW PLATE)
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**COMPLETE IN FULL AND SIGN.**

**This form must be submitted to DMV with the application for title.**







DEPARTMENT OF TRANSPORTATION  
DRIVER AND MOTOR VEHICLE SERVICES  
1905 LANA AVE NE, SALEM OREGON 97314

## CERTIFICATE OF POSSESSORY LIEN FORECLOSURE (ORS 98.812)

(You may obtain copies of laws at your local library or at [www.oregonlegislature.gov/bills\\_laws/Pages/ORS.aspx](http://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx).)

This certification is for use in support of Oregon title applications where transfer results from the foreclosure of a lien created under ORS 98.812 as a result of a vehicle being removed from a parking facility or from proscribed property as defined in ORS 98.805 and which after notice to the local law enforcement agency, was at the request of the property owner, removed and placed in storage at a secure location under the control of the tower. A tower is defined as a person issued a towing business certificate under ORS 822.205.

ORS 822.093 requires lien claimants to keep records sufficient to establish that all vehicles being sold or offered for sale were acquired by the lien claimant as the result of a possessory lien. Records, including a signed and dated copy of this DMV certificate of possessory lien foreclosure form, must be retained for a period of five years by the lien claimant. Failure to maintain records may result in a civil penalty of up to \$1,000 per violation.

I certify that:

- I am a tower who at the request of an owner of a parking facility or the owner of proscribed property as defined in ORS 98.805, removed the following described vehicle.
- A possessory lien under ORS 98.812 is attached to the vehicle.
- I foreclosed the possessory lien in accordance with ORS 98.812(3), ORS 87.172(3) and ORS 87.176 to 87.206.
- I complied with **all** applicable statutory requirements, including notification of all security interest holders as listed on the *Certificate of Title*, in accordance with ORS 87.196, and notification to law enforcement of the location of the vehicle in accordance with ORS 98.812.
- The vehicle described below was sold at public auction to:

**Buyer's name and date of auction required.**

\_\_\_\_\_ (Buyer's printed name)

\_\_\_\_\_ (Location of auction)

\_\_\_\_\_ (Date of auction)

PLATE NUMBER	STATE OF ISSUE	VEHICLE YEAR	MAKE	BODY STYLE	MODEL
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VEHICLE IDENTIFICATION NUMBER \_\_\_\_\_

**I (the lien claimant) further certify that all information given is true and accurate and that I am making this certification in support of an application for title. I understand it is a crime under ORS 803.075 to certify the truth of a statement when I know the statement is not true. Such a crime is a Class A misdemeanor punishable by a jail sentence of up to 1 year and a fine of up to \$6,250, or both.**

PRINTED NAME OF LIEN CLAIMANT (A TOWER MUST HAVE A VALID TOW BUSINESS CERTIFICATE ISSUED UNDER ORS 822.205)	PHONE NUMBER
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STREET ADDRESS	CITY	STATE	ZIP CODE
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SIGNATURE OF LIEN CLAIMANT <b>X</b>	DATE	TOWER PLATE NUMBER (TW PLATE)
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**COMPLETE IN FULL AND SIGN.**  
This form must be submitted to DMV with the application for title.

