

Vehicle Licensing Guide

Evidence of Ownership Insufficient-Affidavit in Lieu of Title VLIC-3.555

Original Date: 12/17/1990

Revision Date: 04/25/2023

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POLICY

Title: Title Without Evidence of Ownership

Effective Date: December 17, 1990

Revision Date: April 25, 2023

Authority: Code of Virginia: §§ [46.2-632](#), [46.2-633](#), [46.2-633.2](#), [46.2-1603](#), [46.2-653.1](#)

Policy:

Applicants for title and/or registration must submit a certificate of title when applying to title a motor vehicle, autocytle, moped, motorcycle, trailer, semitrailer, or manufactured home.

Applicants unable to present a certificate of title at time of application may apply for a title by submitting for DMV review an affidavit and evidence to support the rights of ownership in the following situations:

- Vehicles, trailers, semitrailers, manufactured homes, mopeds, or all-terrain vehicles (ATV) for which the title is lost with no record in the system, stolen, held unlawfully by another person or business (other than the dealership from whom purchased), or whenever the certificate of title is otherwise not available,
- Vehicles registered in another state or jurisdiction where titles are not issued for the model and/or year of the vehicle,
- Vehicles acquired by insurance companies through the claims process applying for a title, salvage certificate or non-repairable certificate,

Insurance companies are charged a fee of \$25 in addition to other required fees and taxes when titling vehicles through the affidavit in lieu of title process.

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Exception:

- Customers are not eligible to apply for a title using the Affidavit in Lieu of Title Certificate ([VSA 12](#) or [VSA 12M](#)) under the following conditions:
 - Certificate of title is being held by the lienholder, or
 - Certificate of title is being held by another state or jurisdiction.
 - Certificate of title for manufactured home was canceled in the system due to conversion to real property (real estate) (refer to [VLIC-3.440](#)).
- The [VSA 12](#) or [VSA 12M](#) does **not** have to be notarized if an investigation was performed by a Law Enforcement (LE) agent and the **DMV Law Enforcement Verification** section of the form is completed. **END REVISION>>>>**

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OVERVIEW

Applicant is responsible to:

Provide documentation supporting vehicle ownership when the certificate of title for a vehicle is unavailable due to:

1. Titles not being issued for the vehicle type in the state where registered; or title is lost, held by another unlawfully, or otherwise unavailable at time of titling; or dealership goes out of business before titling vehicle in customer's name;

NOTE: See exception for Law Enforcement (LE) investigation below.

- Paid personal property tax receipts showing the vehicle owner's name,
 - Bill of sale showing the applicant as purchaser,
 - Contract that documents the purchase of the vehicle and indicates the vehicle is paid in full,
 - Foreign documentation of vehicle ownership,
 - Any other document that will provide a valid trail of ownership,
 - Pay appropriate fee(s).
2. Insurance companies unable to obtain a title for vehicles acquired through the claims process:
 - Documentation supporting the vehicle insurance claim,
 - Description of steps taken to obtain vehicle title,
 - Information concerning the circumstances surrounding the situation,
 - Any other documents relevant to the situation,
 - Pay appropriate fee(s).

DMV is responsible to:

1. Accept applications for titling vehicles when evidence of ownership is not available,
2. Verify submission of relevant evidence,
3. Determine acceptability of evidence,
4. Process a certificate of title in the applicant's name and hand it to the customer over the counter, or mail it to the lienholder or owner's address of record,
OR
5. Advise the customer their application is not approved and provide any additional requirements.

EXCEPTION: Further evidence supporting rights of ownership are not required if an investigation to determine the customer's rights of ownership was completed by DMV's Law Enforcement (LE), provided the LE agent completes the **DMV Law Enforcement Verification** section of the VSA 12 or VSA 12M and either meets the customer at the CSC for titling or makes arrangements with CSC management for issuance of the title.

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AUTHORIZED PROCESSING LOCATIONS

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Once an investigation is completed and LE has made an official determination of the customer's rights or ownership, every transaction listed in the table below can be processed in the CSC without further evidence of ownership required to be submitted by the customer, provided the LE agent:

- has officially completed an investigation,
- has completed the DMV LAW Enforcement Verification section on the VSA 12 or [VSA 12M](#), and
- meets the vehicle owner at the CSC at time of processing

OR

delivers the required documentation to the CSC manager or designee prior to the customer's arrival.

END REVISION>>>>

Authorized Processing Locations For
Affidavit in Lieu of Title Certificate

Transaction Processed at:	Va. Code Section §§	Unable to Obtain Title for Vehicle Due To:	Authorized Processing Site:
CSC or Titling Work Center	46.2-633	<p><<<<<REVISION</p> <p>For Trailers: Title not issued for trailers in state where registered (refer to VLIC-3.235)</p> <p>NOTE: The VSA 12M may be used for trailers. END REVISION>>>>></p>	<p>Process at any CSC (DMV Selects are not authorized to process).</p> <p>Forward to HQ only if application is questionable.</p> <p>Mail to: (or customer may mail to) Virginia Department of Motor Vehicles Titling Work Center "Affidavit In Lieu" Title Application P.O. Box 27412 Richmond, VA 23269</p>
	46.2-632	<p>For Vehicles and Manufactured Homes: Purchased from dealers who then go out of business (refer to VLIC-3.420)</p>	
	46.2-633.2	<p>For Vehicles and Manufactured Homes: Transferred to beneficiary upon death of owner (refer to VLIC-3.506)</p>	
	46.2-632	<p>For All-Terrain Vehicles (ATVs) and Mopeds: Moped never titled in past or otherwise not available</p>	
	46.2-632	<p>For Vehicles and Manufactured Homes: Transferred by Court Order/Divorce Decree when the title is unlawfully detained, stolen, or otherwise unavailable (refer to VLIC-3.315); with existing lien VLIC-3.120)</p>	
	46.2-632 DMV Policy	<p>For vehicles, trailers, all terrain vehicles, mopeds, manufactured homes: Transferred based on investigation and determination by LE agent that the customer has rights of ownership to the vehicle following guidelines in this procedure.</p>	
Vehicle Branding Work Center	46.2-1603	<p>For Vehicles: Acquired by insurance claims process Salvage, non-salvage, or nonrepairable</p>	<p>Do not process at CSC/DMV Select</p> <p>Mail to: (or customer may mail to) Virginia Department of Motor Vehicles Vehicle Branding Work Center P.O. Box 27412 Richmond, VA 23269</p>
Titling Work Center	46.2-633	<p>For Vehicles: Title not issued for the vehicle type in state where registered</p>	<p>Do not process at CSC/DMV Select</p> <p>Mail to: (or customer may mail to) Virginia Department of Motor Vehicles Titling Work Center "Affidavit In Lieu" Title Application P.O. Box 27412 Richmond, VA 23269</p>

CUSTOMER REQUIREMENTS

- For customers with a vehicle, trailer, semitrailer, or manufactured home registered in another jurisdiction who claim titles were not issued in the state in which registered for that model year, or

For customers unable to obtain a title for a vehicle, trailer, semitrailer, or manufactured home due to its being lost with no record in the system, stolen, or held unlawfully by another person or business (other than the dealership from whom purchased), or whenever the certificate of title is otherwise not available:

EXCEPTION: If a Law Enforcement (LE) investigation was performed to determine the customer's rights of ownership, go to [#2](#).

 - Submit the following:
 - A registration card (when applicable) that is unexpired, or expired for less than one year,
 - A completed Application for Certificate of Title and Registration, [VSA 17A](#), or Application for Certificate of Title-Manufactured Home, [VSA-17B](#).

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 - A completed, signed and notarized Application in Lieu of Title Certificate, [VSA 12](#) or [VSA 12M](#). **END REVISION**>>>>>

- Reasons why the vehicle's title is not available,
- Description of efforts made to obtain a certificate of title from the previous owner (when applicable),
- Other evidence of ownership to provide a valid trail of ownership,
- Any other information relevant to the situation.
- Proof of address, when applicable (refer to [VLIC-3.530](#)).
- Completed and signed price certification form identifying the vehicle by VIN, make and year, and date of sale, as follows:
 - Vehicle Price Certification ([SUT 1](#)) to certify the price of vehicles more than 5 years old, or
 - Affidavit of Vehicle Purchase Price ([SUT 1A](#)) to certify the price of vehicles 5 years old or less (the [SUT 1A](#) must be notarized).
- A combination of other supporting documents that serve as evidence of ownership. Examples of documents can include, but are not limited to, the following:
 - Paid personal property tax receipts showing the vehicle owner's name,
 - Bill of sale showing the applicant as purchaser,
 - A contract that documents the purchase of the vehicle and indicates the vehicle is paid in full,
 - Foreign documentation of vehicle ownership,
 - Any other document that will provide a valid trail of ownership,
- Appropriate fees.

IMPORTANT: Manufactured home titles that have been canceled in the system because the manufactured home was converted to real property (real estate) cannot be replaced using the affidavit in lieu of title process provided in this procedure. Customers must apply to convert the manufactured home back to personal property through the Titling Work Center at Headquarters (HQ) ONLY before a title may be issued (refer to [VLIC-3.440](#) and the Manufactured Home Conversion publication ([DMV 275](#))).

2. For customers unable to obtain a title for a vehicle who indicate an investigation was performed, request assistance from your CSC manager/designee.
 - a. Customers must submit the following:
 - A completed Application for Certificate of Title and Registration, [VSA 17A](#), or Application for Certificate of Title-Manufactured Home, [VSA-17B](#).
 - Proof of address (refer to [VLIC-3.530](#)).

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NOTE: The LE agent will meet the customer at the CSC of choice for titling and deliver the completed and signed [VSA 12](#) or [VSA 12M](#), or deliver the [VSA 12](#) or [VSA 12M](#) directly to CSC management/designee ahead of time and make arrangements for the issuance of the title. **END REVISION>>>>>**

- b. Appropriate fees.
3. For customers with vehicles purchased from a dealership that went out of business prior to titling the vehicle in the purchaser's name, process at the CSC or by the Titling Work Center at Headquarters following the Out of Business Dealer procedure ([VLIC-3.420](#)).
4. For insurance companies with vehicles acquired through the claims process who are unable to obtain titles and are applying for a title, salvage certificate or non-repairable certificate, submit the following to the Vehicle Branding Work Center at DMV Headquarters:
 - a. For non-salvage vehicles submit a completed VSA 17A or VSA-17B
OR
 - b. For salvage vehicles, submit a completed Salvage Certificate Application, ([VSA 56](#)),
OR
 - c. For nonrepairable vehicles, submit a completed Application for Non-Repairable Certificate ([VSA 57](#)),
AND
 - d. For vehicles with nonnegotiable titles issued due to out-of-state nonrepairable equivalent brands (refer to [VLIC-3.347](#)), submit a completed Application for Non-Repairable Certificate ([VSA 57](#)).
 - e. A completed, signed and notarized VSA 12 indicating the following:
 - Whether the vehicle is a salvage or non-salvage vehicle,
 - The vehicle was acquired as a result of the claims process,
 - Description of efforts made to obtain a certificate of title from the previous owner.
 - Other information relevant to the situation.
 - f. Appropriate fees

5. For customers unable to obtain a title for a moped or ATV due to its being lost with no record in the system, stolen, or held unlawfully by another person or business (other than the dealership from whom purchased), or whenever the certificate of title is otherwise not available, submit the following:
 - a. A completed, signed and notarized [VSA 12M](#) indicating the following:
 - Reasons why the vehicle's title is not available,
 - Description of efforts made to obtain a certificate of title from the previous owner,
 - Other information relevant to the situation.
 - b. A completed and signed VSA 17A,
 - c. A completed and signed Moped Certification ([VSA 31](#)) MUST BE submitted with the title application for all moped title transactions,

NOTE: If the customer is not sure if the vehicle meets the definition of a moped (or another vehicle type, such as a motorcycle), the CSR will use the Vehicle Type Reference Guide ([DMV 275](#)) to assist the customer in making the determination. However, it is the customer's responsibility to determine and certify the vehicle type.
 - d. Proof of address, if applicable (refer to [VLIC-3.530](#)),
 - e. Available original documents evidencing ownership and other supporting affidavits (bill of sale, registration, personal property tax receipt, etc.),
 - f. Other documentation as evidence of the applicant's rights of ownership.
 - g. Appropriate fee(s).
6. For designated beneficiaries unable to obtain a title to transfer a vehicle into their name upon the death of the owner due to its being lost, stolen, held unlawfully by another person, or otherwise unavailable, accept the appropriate title application and VSA 12 and process the title transfer at a CSC or Titling Work Center following the guidelines in [VLIC-3.506](#).

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FRONT COUNTER CSR

1. For customers with no title, who are submitting a registration card as proof of vehicle, trailer, or semitrailer ownership, or who claim titles were not issued for that model year vehicle/trailer in the state in which registered, process as follows:

EXCEPTION: If a Law Enforcement (LE) investigation was performed to determine the customer's rights of ownership, go to [#2](#).

 - a. Verify that the submitted registration card is unexpired, or expired for less than one year,
 - If registration card is expired for one year or more, return all documents to the customer and advise they must submit valid (or expired less than one year) registration card, title, or other valid proof of ownership.
 - b. Confirm in the National Automobile Dealers Association (NADA) Guidebook that titles were not issued for the model year of the vehicle (or trailer) in the state of registration,
 - c. Verify required documents are submitted and completed.

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 - Affidavit in Lieu of Title Certificate ([VSA 12](#) or [VSA 12M](#)) with the following:

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 - Reasons why the vehicle's title is not available,
 - For insurance companies, indicate if the vehicle is salvage or non-salvage,
 - For insurance companies, indicate that the vehicle was acquired as a result of the claims process,
 - Description of efforts made to obtain a certificate of title from the previous owner,
 - Other information relevant to the situation.
 - Application for Certificate of Title and Registration ([VSA 17A](#))
 - Proof of address (refer to [VLIC-3.530](#))
 - Available original documents evidencing ownership and other supporting affidavits (bills of sale, buyer's order, registration, personal property tax receipt, notarized statement of sale from prior owner, etc.)
 - Other documentation as evidence of the applicant's rights of ownership.
 - d. Verify price certification form is submitted identifying the vehicle (or trailer) by VIN, make and year, and date of sale:
 - Vehicle Price Certification ([SUT 1](#)) to certify the price of vehicles more than 5 years old, or
 - Affidavit of Vehicle Purchase Price ([SUT 1A](#)) to certify the price of vehicles 5 years old or less (must be notarized).

FRONT COUNTER CSR (Continued)

- e. Payment of fees
 - f. Request CSC management review the application and all submitted documents and make a determination if the applicant has proven their rights of ownership.
 - g. If not approved by management:
 - i. Advise the customer of what other actions must be taken, or documents must be submitted, to allow the transaction to be processed.
 - ii. Return all documents to the customer,
 - iii. Provide a Customer Return Form describing requirements.
 - h. If approved by management:

For motor vehicles:

 - Documents must be forwarded to the Titling Work Center following the directions for vehicles with no title due to lost, stolen, or held unlawfully under the section "[If approved by management:](#)" (4.d.) below.

For trailers:

 - i. Process the transaction at the CSC (refer to [VLIC-3.575](#)).
 - ii. Collect the appropriate fee(s).
2. For customers unable to obtain a title for a vehicle who indicate that a Law Enforcement (LE) investigation was performed, request assistance from your CSC manager/designee.
- a. Verify completion of required documents:
 - [VSA 17A](#) or [VSA-17B](#).
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- [VSA 12](#) or [VSA 12M](#) (submitted by LE agent or CSC management only)
 - Proof of address, when required (refer to [VLIC-3.530](#)),
- b. Accept the [VSA 12](#) or [VSA 12M](#) from the LE agent present at time of titling,
OR
Notify CSC management/designee and request the [VSA 12](#) or [VSA 12M](#) that was submitted ahead of time by the LE agent.
- NOTE:** If an LE agent is not present to submit the [VSA 12](#) at time of titling, or the [VSA 12](#) or [VSA 12M](#) was not delivered to CSC management/designee ahead of time, DO NOT issue a title.
- c. Verify the following is completed in the "**DMV Law Enforcement Verification**" section of the [VSA 12](#) or [VSA 12M](#):
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 - Printed and signed name of the DMV LE agent who performed the investigation.
 - Case #
 - Date
 - d. Process the transaction (refer to [VLIC-3.575](#)).
 - e. Collect the appropriate fee(s).
 - f. Prepare documents with correct barcode coversheet and place in appropriate area for document preparation.
3. For customers unable to obtain the title for a vehicle purchased from a dealership that, after the purchase, went out of business before the vehicle was titled in the purchaser's name, process following the guidelines in [VLIC-3.420](#).
4. For insurance companies unable to obtain the title for a vehicle acquired as part of the claims process, applying for a title, salvage certificate, or nonrepairable certificate, follow the guidelines below:
- a. Verify required documents are submitted and completed.
 - Affidavit in Lieu of Title Certificate ([VSA12](#)) with the following:
 - Reasons why the vehicle's title is not available,
 - Indicate if the vehicle is salvage or non-salvage,
 - Indicate that the vehicle was acquired as a result of the claims process,
 - Description of efforts made to obtain a certificate of title from the previous owner,
 - Other information relevant to the situation.
 - Application for Certificate of Title and Registration ([VSA 17A](#)) for non-salvage vehicles
or
 - A completed Salvage Certificate Application ([VSA 56](#)) for salvage vehicles
or
 - A completed Non-Repairable Certificate Application ([VSA 57](#)) for nonrepairable vehicles

- A completed Non-Repairable Certificate Application ([VSA 57](#)) for vehicles with nonnegotiable titles issued due to out-of-state nonrepairable equivalent brands (refer to [VLIC-3.347](#)).
- Available original documents evidencing ownership and other supporting affidavits (bills of sale, buyer's order, registration card, personal property tax receipt, notarized statement of sale from prior owner, etc.)

NOTE: For nonnegotiable titles issued for vehicles that have been rebuilt/repared, titled and registered out-of-state that have an OOS or NMVTIS brand/status that is equivalent to Virginia's nonrepairable vehicle (junk, for destruction, parts only, not to be repaired, etc.), refer to [VLIC-3.347](#).

- If all required documents are not submitted or completed as required:
 - Advise the customer what other items must be submitted to qualify for a title, and
 - Return all documents to the customer,
 - Provide a Customer Return Form describing requirements.
- If all required documents are submitted and completed as required, inform the customer they have the option to mail the documents directly to the Vehicle Branding Work Center located at DMV Headquarters, or may request the CSC mail the documents for processing:
 - If the customer opts to mail directly to the Vehicle Branding Work Center, return all documents to the customer and provide them with the mailing address below:

**Virginia Department of Motor Vehicles
Vehicle Branding Work Center
P.O. Box 27412
Richmond, VA 23269**

- If the customer requests the CSC mail the documents, prepare the documents for sending to Titling:
 - Attach together the documents and payment for each transaction, and
 - Combine all insurance company VSA 12 transactions received for the day, and
 - Write the following address on an envelope:

**Virginia Department of Motor Vehicles
Vehicle Branding Work Center
P.O. Box 27412
Richmond, VA 23269**

- Place all documents in the envelope and mail to the Vehicle Branding Work Center daily via U.S. mail.
 - DO NOT include these VSA 12 applications with the daily work. They MUST be mailed daily to Titling.

- For customers unable to obtain a title for a vehicle, trailer, semitrailer, manufactured home, all-terrain vehicle (ATV), or moped due to its being lost, stolen, or held unlawfully by another person or business (other than the dealership from whom purchased), or whenever the certificate of title is otherwise not available.

IMPORTANT: Manufactured home titles that have been canceled in the system because the manufactured home was converted to real property (real estate) cannot be replaced using the affidavit in lieu of title process provided in this procedure. Customers must apply to convert the manufactured home back to personal property through the Titling Work Center at Headquarters (HQ) ONLY before a title may be issued (refer to [VLIC-3.440](#) and the Manufactured Home Conversion publication ([DMV 275](#))).

- Verify required documents are submitted.
 - A completed, signed, and notarized VSA12 for vehicles, trailers, semitrailers, and manufactured homes,
OR

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A completed, signed, and notarized VSA 12M for mopeds, all-terrain vehicles, or trailers a VSA 12M, indicating the following:

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- Reasons why the vehicle's title is not available,
 - Description of efforts made to obtain a certificate of title from the previous owner,
 - Other information relevant to the situation.
- A completed and signed VSA 17A for non-salvage vehicles, trailers, semitrailers, mopeds, or ATVs,
OR
A completed and signed VSA-17B for manufactured homes.
 - A completed and signed Moped Certification ([VSA 31](#)) for all moped title transactions,
 - Proof of address (refer to [VLIC-3.530](#)),

FRONT COUNTER CSR (Continued)

- v. Available original documents evidencing ownership and other supporting affidavits (bill of sale, registration, personal property tax receipt, etc.),
 - vi. Other documentation as evidence of the applicant's rights of ownership.
- b. Request CSC management review application and all submitted documents to ensure the customer has presented all required documents listed under # 4 above before forwarding to DMV HQ for processing.

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- c. If approved by management:

For mopeds, ATVs, and trailers

- i. Process the transaction at the CSC
- ii. Collect the appropriate fee(s).

For all other vehicles or manufactured homes:

- i. Inform the customer they have the option to mail the documents directly to the Titling Work Center located at DMV Headquarters, or may request the CSC mail the documents for processing. **END**

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- ii. If the customer opts to mail directly to the Titling Work Center, return all documents to the customer and provide them with the mailing address below:

**Virginia Department of Motor Vehicles
Titling Work Center
"Affidavit In Lieu" Title Application
P.O. Box 27412
Richmond, VA 23269**

- iii. If the customer requests the CSC mail the documents, prepare the documents for sending to Titling.
- iv. Collect the title fee and sales & use tax (SUT) payment in the form of a check.
- v. Attach together the documents and payment for each transaction,
- vi. Combine all VSA 12 transactions (not VSA 12M) received for the day that are not from insurance companies.
- vii. Write the following address on an envelope:

**Virginia Department of Motor Vehicles
Titling Work Center
"Affidavit In Lieu" Title Application
P.O. Box 27412
Richmond, VA 23269**

- viii. Place all documents in the envelope and mail via U.S. mail.
- ix. DO NOT include these applications with daily work. They MUST be mailed daily to Titling.
- x. Advise the customer that if the application is approved, the Titling Work Center will follow up with them in approximately two weeks from the date of application.

- d. If not approved by management:

- i. Advise the customer what other items must be submitted to qualify for a title, and
- ii. Return all documents to the customer,
- iii. Provide a Customer Return Form describing requirements.

6. For designated beneficiaries unable to obtain a title to transfer a vehicle into his name upon death of the vehicle owner due to its being lost, stolen, held unlawfully by another person, or when otherwise unavailable, process following the guidelines in [VLIC-3.506](#).

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DMV CONTACT CENTER AGENT ACTIONS

- To assist customers with questions regarding nonnegotiable titles, or in identifying situations when a nonnegotiable would apply, refer to the [Nonnegotiable Title Eligibility](#) quick reference table.
- Do NOT promise the acceptability of documents to customers.
- Do NOT use phrases like:
 - "You have everything you need, just go to a CSC and they will issue your document."
 - Use phrasing such as:
"The documents you have listed sound like they may be acceptable: The CSC will make the final determination of your eligibility to receive your Virginia title and/or registration card."

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CONTACT

For additional information contact :

- Your CSC Manager/Assistant Manager
- DMV Direct Help Desk at (804) 367-6646
- VSA/[Titling Work Center](#)
- VSA/[Vehicle Branding Work Center](#)