



Storage Lien Foreclosure

Vehicle Information				
Vehicle Identification Number	Year	Make	Body Style	Model
License Plate State and Number (if any)	Printed Name of Owner(s) Listed on Title/Registration Verification			

Storage Facility Information			
Storage Facility or Claimant Name			
Storage Facility Address	City	State	Zip

Foreclosure/Public Sale Information					
Dates	Date Vehicle Left at or Towed to Facility	Notice to Remove Vehicle (if applicable)	Notice to Law Enforcement		
Possession (Mark & Complete One)	<input type="checkbox"/> Consent of the Owner or Operator of the Motor Vehicle. Printed Name of Person Who Consented to Storage:				
	<input type="checkbox"/> Non-Consent. Authority Under Which the Vehicle was Acquired:				
Storage/Charges	Towing Charges \$	Days of Storage	Daily Storage Charge \$	Total Storage Charges \$	Total Charges Due \$
	Date of Public Sale	Location of Public Sale			Sales Price \$
Purchaser	First Name (or Entity Name)	Middle Name	Last Name	Suffix (if any)	
	Address	City	State	Zip	

Law Enforcement Certification – Only required if evidence of law enforcement notification is unavailable				
Law Enforcement Agency	Address	City	State	Zip
On behalf of the law enforcement authority listed, I certify that the above referenced vehicle was reported abandoned by the listed storage facility/garageman in accordance with Texas Transportation Code, Chapter 683, on the date above. Further, I certify no action was taken by our agency with regards to the vehicle described above within 30 days after we were notified by the storage facility/garageman.				
Was the vehicle authorized to be towed by law enforcement? <input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, storage fees cannot be assessed.)				
Signature of Officer/Authorized Agent	Printed Name (Same as Signature)	Position	Date	

Odometer Disclosure Statement			
Federal and state law require that you state the mileage upon transfer of ownership. Providing a false statement or failure to complete this form may result in fines and/or imprisonment. I, the seller/agent, certify to the best of my knowledge the odometer reading is the actual mileage of the vehicle unless one of the statements is checked:			
<input type="checkbox"/> Odometer Reading (no tenths)		<input type="checkbox"/> Mileage Exceeds Mechanical Limits <input type="checkbox"/> Not Actual Mileage (WARNING – ODOMETER DISCREPANCY)	
I am aware of the odometer certification made by the seller/agent.			
Signature of Seller/Agent	Date of Sale	Signature of Purchaser/Agent	Date

Affidavit of Statutory Lienholder - State law makes falsifying information a third degree felony		
I, the undersigned statutory lienholder, certify that the statements herein are true and correct; the vehicle described above was left for storage; and the owner(s) and any applicable lienholder(s) were notified as required by statute. I also certify I have complied with all applicable provisions of Texas Property Code, Chapter 70, and Texas Transportation Code, Chapter 683, and I am proceeding to foreclose on the statutory storage lien in accordance with state law.		
Signature of Storage Facility's Authorized Agent or Claimant	Printed Name (Same as Signature)	Date

NOTARY STAMP HERE	Before me, a notary public, on this day personally appeared _____, known to me to be the person whose name is subscribed on this document, and being by me first duly sworn, declared that the statements herein contained are true and correct.		
	State of Texas, County of _____	Notary Public's Signature	Date

Storage Lien Foreclosure

Information

A determination must be made as to where the vehicle was last registered. **This process cannot be used by any storage facility/claimant (licensed or otherwise) in conjunction with a law enforcement authorized tow.** Storage fees for law enforcement authorized tows may only be assessed by licensed vehicle storage facilities by using the VTR-265-VSF.

FOR MORE INFORMATION – You may refer to the [TxDMV Motor Vehicle Title Manual](#) (Chapter 23).

Foreclosure Procedures

1. POSSESSION –

- **Consent:** Possession of vehicle by the storage facility/claimant is by consent when authorized by the vehicle's owner or an authorized operator. A written, dated contract (with expiration date) authorizing storage is required. Under consent possession, the storage facility/claimant must notify law enforcement; however, the "Notice to Remove Vehicle" is only required if more than 5 days of storage fees are assessed.
- **Non-Consent:** Possession of vehicle under city ordinance or state law is considered non-consent. Under non-consent possession, the storage facility/claimant must send the "Notice to Remove Vehicle" and notify law enforcement regardless of number of days of assessed storage fees.

2. **NOTICE TO REMOVE VEHICLE** – Within 5 days (if registered in Texas) or 14 days (if registered outside of Texas) of contract expiring (consent) or obtaining possession (non-consent), the storage facility/claimant must notify the last known owner(s) and all lienholder(s) of record by certified mail, return receipt requested. The notice must contain a request to remove the vehicle, request for payment, the location of the vehicle, and the amount of accrued charges. *Notice by newspaper publication may be permitted (see "Notification by Newspaper" below).*

3. **NOTIFICATION TO LAW ENFORCEMENT** – A motor vehicle is considered abandoned (Transportation Code, Section 683.031) after the 10th day after the contract expires (consent) or after the 10th day after the "Notice to Remove Vehicle" (non-consent) is made. The storage facility/claimant must report the vehicle as abandoned to the law enforcement agency in the jurisdiction where the vehicle is located within 7 days of the determination the vehicle is abandoned. No storage fees may be assessed if law enforcement is notified after the 7th day; however, any other fees remain valid.

4. **PUBLIC SALE** – The storage facility/claimant (or their authorized agent) may sell the vehicle at public sale to the highest bidder if charges are not paid, AND law enforcement does not take the vehicle into custody before the 31st day after the notification to law enforcement. The proceeds shall be applied to the payment of charges, and the balance shall be paid to the person entitled to them.

Note: Notice from law enforcement of its intention to dispose of the vehicle is considered law enforcement taking custody even if they do not take physical custody before the 31st day.

5. **APPLICATION FOR TITLE** – The highest bidder at public sale must apply for title unless the vehicle is purchased by a licensed motor vehicle dealer with a current General Distinguishing Number (GDN).

NOTIFICATION BY NEWSPAPER – In lieu of written notification to the owner(s) and any applicable lienholder(s) by certified mail, publication of the notice in a newspaper of general circulation in the county in which the vehicle is stored may be used only if all of the following apply:

1. The vehicle is registered in another state.
2. The storage facility/claimant submits a written request by certified mail, return receipt requested, to the governmental entity with which the motor vehicle is registered requesting information relating to the identity of the last known owner(s) and any lienholder(s) of record.
3. The storage facility/claimant:
 - is advised in writing by the governmental entity with which the motor vehicle is registered that the entity is unwilling or unable to provide information on the last known owner(s) or any lienholder(s) of record, or
 - does not receive a response from the governmental entity with which the motor vehicle is registered on or before the 21st day after the request under (2) is made.
4. The identity of the last known owner of record cannot be determined.
5. The registration does not contain an address for the last known owner of record.
6. The identities and addresses of the lienholders of record cannot be determined.

Note: The storage facility/claimant is not required to publish notice if a correctly addressed notice is sent with sufficient postage and is returned as unclaimed, refused, the forwarding order has expired, or with a notation that the addressee is unknown or has moved without leaving a forwarding address.

Evidence Required to Transfer Ownership

1. **Application for Texas Title and/or Registration (Form 130-U)**

2. **Storage Lien Foreclosure (Form VTR-265-S)**

3. **Verification of Title and Registration** – Verification of title and registration from the state of record. If not available, the following must be provided:

- If a storage facility/claimant sends a request for title and registration verification to the state of record (by certified mail, return receipt requested) and is informed by letter from that state that due to the Driver's Privacy Protection Act restrictions the state will forward the claimant's notification to the owner(s) and lienholder(s) for notification purposes, then the original letter(s) from the state of record and certified receipts for each notification sent to that state, or
- If notification is made by newspaper publication, proof that a correctly addressed request for the name and address of the last known registered owner(s) and lienholder(s) was sent to the state of record (by certified mail, return receipt requested). Proof consists of a copy of the request and date stamped certified return receipts for the notification sent to the state of record.

4. **Proof of Notifications**

- **Notice to Remove Vehicle** (only if applicable, see #2 in "Foreclosure Procedures") – Proof consists of the date stamped receipts for certified mail and return receipt, together with any unopened certified letter(s) returned as undeliverable, unclaimed, refused, or no forwarding address. **Note: Track and Confirm is not acceptable in lieu of the certified mail return receipt.**
- **Notice by Newspaper Publication** (only if applicable) – Proof consists of the certified mail, return receipt, sent to the state of record requesting verification of owner(s) and lienholder(s) AND a legible photocopy of the newspaper publication that includes the name and date of the publication.
- **Notification to Law Enforcement** (one of the following) – Dated receipt showing \$10 administrative fee was paid; completion of the "Law Enforcement Certification" on page 1; or certified mail, return receipt, to the law enforcement agency.

5. **Release of Lien(s)** – A release of lien is required if a lien is indicated on the title/registration verification.

6. **Written Contract** – A copy of the written, dated contract (containing an expiration date) for the vehicle to be stored on the premises of the storage facility/claimant is required if possession was by consent of the owner or an authorized operator.

7. **City Ordinance** – A copy of the city ordinance must be attached if possession was obtained under a city ordinance.

8. **Liability Insurance** – A copy of current proof of liability insurance in the applicant's name if applying for registration.

9. **Out of State Vehicles** – VIN certification through applicable state inspection or self-certification on Form 130-U (and certified weight certificate if the vehicle is a commercial vehicle).