DMV-129-TR
REV. 1/00

State of West Virginia
Department of Transportation – Division of Motor Vehicles

AFFIDAVIT FOR REPOSSESSION OF A VEHICLE

This affidavit to be used by repossessing lien holder for securing a repossessed title in the name of the lien holder if sold under the terms of a conditional sales contract; or a repossessed certificate of title in the name of the purchaser if sold at public or private auction under the terms of a deed of trust, chattel mortgage or security agreement.

I/we, the undersigned certify that the motor vehicle described herein has been repossessed due to the failure of the registered owner, named herein, to meet his obligation in the settlement of the lien shown on the face of this affidavit. The lien contract covering this vehicle was executed in accordance with the applicable provisions of the laws of the state in which the lien originated.

I/we further certify that the default terms of this lien contract have been complied with fully regarding the giving of due notice and authority to dispose of the vehicle at public or private sale. There are no recorded liens which are superior to the lien stated in this affidavit and no legal suit is now pending in any court concerning this repossession.

I/we also warrant title to the described vehicle to be free from all indebtedness and agree to defend it against all claims.

Name of Defaulting Owner	Address of Defaulting Owner

Description of Repossessed Vehicle

Year Model	Mfgs. Make	Serial Number	Title Number	State

Lien Covering Repossessed Vehicle

Amount of Lien	Date of Lien	Kind of Lien

Lien in Favor of _____

Address of Lien Holder _____

Name of Purchaser at Sale	Purchase Price of Vehicle

_____ **By:** _____
Name of Lien Holder **Authorized Official**

State of _____ **County** _____

Taken, subscribed and sworn to before me this _____ **day of** _____ **20**_____

My commission expires this _____ **day of** _____ **20**_____

Notary Public _____

(See instructions on Reverse Side)

PROCEDURE TO SECURE A REPOSSESSION CERTIFICATE OF TITLE

To secure a certificate of the title for a repossessed vehicle sold under the terms of a conditional sales contract. Form DMV-1-TR, application for a certificate of title must be executed and submitted with the Lien Holders Affidavit for Repossession of a Vehicle, Form DMV-129-TR. The certificate of title issued to the registered owner that the vehicle is repossessed from must also accompany the application for certificate of title. Title for a vehicle sold under the terms of a conditional sales contract can only be issued in the name of the lien holder.

To secure a certificate of title for a repossessed vehicle sold under the terms of a chattel mortgage, deed of trust, or security agreement, it is necessary for the purchaser to execute Form DMV-1-TR, Application for Certificate of Title to a vehicle, and submit with the lien Holders Affidavit for Repossession of a Vehicle, Form DMV-129-TR, and the certificate of title that was issued to the owner of the vehicle that is being sold under the terms of the agreement, Certificate of title for a vehicle sold under the terms of a chattel mortgage, deed of trust, or security agreement can only be issued in the name of the purchaser.

Form DMV-129-TR, Affidavit for Repossession of a vehicle, must be completed in every detail. An incomplete affidavit will be returned.

In the event the lien holder does not have possession of the certificate of title, which should be in the custody of the lien holder, than an affidavit stating that the lien holder does not have custody of the certificate of title, that the lien holder did not receive a certificate of title from the Division of Motor Vehicles; or if the title was received, complete details as to the disposition of the title must be a part of the affidavit. The affidavit must show a complete description of the vehicle being repossessed including the manufacturer's name, the year model and the serial number of the vehicle. The affidavit must be signed by the lien holder and acknowledged by a Notary Public.

To secure a repossessed certificate of title for a vehicle titled in other states, the application must be accompanied by the out-of-state title; or if from a non-title state, the certificate of registration of the former owner must accompany the application. Verification by the out-of-state Department of Motor Vehicles will be acceptable.

The required fees for the transaction must accompany the application for certificate of title.