

HOW TO FILE A LIEN ON AN ABANDONED MOTOR VEHICLE
PLEASE READ ALL INSTRUCTIONS VERY CAREFULLY!!!
PLEASE PRINT CLEARLY!!!!

1. A motor vehicle must have been left with an automobile dealer, repairman, or wrecker service for repair or other reason for a period of thirty days, left unattended on a public street for at least five days, or on private property for at least thirty days.
2. You must try to find out who owns the vehicle, if you do not know them. This is done by furnishing the **Department of Revenue** and the **Georgia Bureau of Investigation** with the Vehicle Identification Number, the license number, the fact that the vehicle is abandoned, the date the vehicle became abandoned, and the present location of the vehicle. You request the name and addresses of all owners and lienholders. If you think the vehicle is registered in **another state**, you must check that states' records. This must be done within thirty days of removal.
3. You must then notify the owner(s) and lienholder(s) by certified or registered mail of the fact that the vehicle is considered abandoned and will be sold, if not claimed. All cost incurred by you should be paid by the owner or lienholder, if they wish to claim it. This must be done within five days of receiving the information from the Department of Revenue and/or Georgia Bureau of Investigation.
4. If the **owner** of the vehicle is **unknown**, you must place an ad in a newspaper of general circulation containing a full description of the vehicle, location and stating that the vehicle will be sold, if not claimed. The ad must run once a week for two consecutive weeks. **Take note:** we do random VIN number checks on all vehicles filed with the court as John Does. If we encounter a problem, then we require a T22-B form to be filed as well.
5. If the vehicle is claimed, or for any reason is no longer considered abandoned, you must furnish this information to the Department of Revenue and Georgia Bureau of investigation.
6. If the vehicle is not still not claimed, you must notify the owner(s) or lienholder(s) a second time by certified mail, return receipt requested that you are preparing to file a lien on the vehicle and give them ten calendar days to respond.
7. If still no response, you can then file a lien on the vehicle for reasonable removable fees, storage and advertising fees only. You **cannot claim repair costs** on an abandoned motor vehicle lien. If you want repair costs, you should file a **mechanic's lien**. Forms for filing are available at the Foreclosure Desk(Room 300, 185 Central Ave SW). If the owner of the vehicle is unknown, you must furnish the Court with a copy of the title search you did.
8. You must also furnish the Court properly prepared, separate certified mail envelopes addressed to the owner(s) and lienholder(s). Return addresses on the envelopes and green receipt cards should be: **Abandoned Motor Vehicles, 185 Central Ave SW, Room 300, Atlanta GA 30303**. Check with the Foreclosure Clerk to find out the correct way to prepare these forms.
9. The Court will serve the affidavits by certified mail, using the envelopes you provide. If eleven days after the service date no answer is filed, a Court Order will be generated. You may pick up duplicate copies of the Order for **25¢ each**. This order allows the sale of the vehicle at a public auction. If an answer is filed by any party, we will place the case on a calendar and notify you of the date set.
10. In order to **sell** the vehicle, after you receive an Order, you must place an **ad** in the **Fulton Daily Report** listing the vehicle by description. Date and place of the public auction must be in the ad. This ad must run for two weeks.
11. If the vehicle sells, you should give the buyer a **notarized Bill of Sale**. They bring this Bill of Sale to the Court and we will prepare a certified copy of the Order allowing the sale. This will cost **\$2.50**.
12. After your Sale, you must furnish the Court with copies of all Bills of Sale, with case number, and dollar amount vehicle sold for. If the vehicle sells for more than the amount you claimed on your Affidavit, you must pay the difference to the Court. This must be done within thirty days. No personal checks accepted. Failure to pay overages will result in your being held in contempt of court and subject to a fine.
13. The Bill of Sale, certified copy of the Court Order, T-158 and T-22 Certificate of Inspection(both available from the Department of Motor Vehicles) are required to get a title in the purchaser's name. Title is applied for in the county where they buy their tags.
14. This information is only a general summary. There are exceptions to these rules. Because the law is complicated, you may wish to consult an attorney to be advised of your exact legal rights.