

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

Case Type: Civil Other/Miscellaneous

<p>_____, (seller of vehicle)  Plaintiff,  vs.  _____, (buyer of vehicle)  and the Commissioner of the Minnesota Department of Public Safety, Driver and Vehicle Services Division,  Defendants.</p>	<p>Court File: _____</p> <p><b>NOTICE OF MOTION, MOTION, AND AFFIDAVIT FOR ORDER DIRECTING CHANGE OF TITLE TO A MOTOR VEHICLE</b></p> <p>(MINN. STAT. §§ 168A.10, SUBD. 1; 168A.25)</p>
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**NOTICE OF MOTION**

**To: The Above-named Defendant:  
and  
The Commissioner of the Department of Public Safety  
C/O Attorney General's Office, Public Safety Division  
445 Minnesota Street, Suite 1800  
St. Paul, MN 55101-2134**

TAKE NOTICE that on \_\_\_\_\_, at \_\_\_\_\_ .m. at \_\_\_\_\_  
Date (Time) (Location)  
 \_\_\_\_\_ before the Honorable \_\_\_\_\_,  
 in court room number \_\_\_\_\_ at the following location \_\_\_\_\_  
 in the City of \_\_\_\_\_, in the County of \_\_\_\_\_ in  
 the State of Minnesota, I will move the Court for the following order:

That the Department of Public Safety, Driver and Vehicle Services Division, shall issue a title for the below mentioned vehicle, License Plate No. \_\_\_\_\_ Vehicle Identification Number \_\_\_\_\_ (VIN #) that does not list the Plaintiff as an owner of said vehicle. And for such other and further relief as the court may deem just and necessary.

## MOTION

Plaintiff was the sole owner of the used motor vehicle described in the Affidavit below which was sold to Defendant \_\_\_\_\_ (name of buyer of vehicle) on or about \_\_\_\_\_ (date of sale). Plaintiff complied with the requirements of Minn. Stat. § 168A.10, subd. 1 regarding reporting of the sale of said motor vehicle to Defendant Minnesota Department of Public Safety, Driver and Vehicle Services Division. Defendant \_\_\_\_\_ (name of buyer of vehicle) failed to comply with the requirements of Minn. Stat. § 168A.10, subd. 2 to execute the application for a new certificate of title and cause the certificate of title to be mailed or delivered to Defendant Minnesota Department of Public Safety, Driver and Vehicle Services Division. Pursuant to Minn. Stat. § 168A.25, a person aggrieved by an act or omission to act of the Department of Public Safety under Minnesota Statutes sections 168A.01 to 168A. 31 is entitled to a review thereof by the district court in accordance with law.

WHEREFORE, Plaintiff requests that the Court enter its order to the Defendants that: (check all that apply)

- The Department of Public Safety, Driver and Vehicle Services Division amend its record to reflect Defendant \_\_\_\_\_ (name of buyer of vehicle) as the owner of the motor vehicle bearing Vehicle Identification Number \_\_\_\_\_(VIN #).
  
- The Department of Public Safety, Driver and Vehicle Services Division remove Plaintiff \_\_\_\_\_ (name of seller of vehicle) as owner from the title to the motor vehicle bearing the following Vehicle Identification Number \_\_\_\_\_ (VIN #) and show the vehicle as untitled until another person appropriately establishes ownership of this vehicle.

Plaintiff also requests that the Court issue an order for such other and further relief as the Court may deem just and necessary.

## AFFIDAVIT

I \_\_\_\_\_ (name of seller of vehicle), state:

1. I am the Plaintiff in this action. My date of birth is: \_\_\_\_\_.
  
2. I was the sole owner of a used motor vehicle described as:

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_

License Plate No.: \_\_\_\_\_ Vehicle Body Type: \_\_\_\_\_

Vehicle Identification No. (VIN): \_\_\_\_\_

3.  I sold the used motor vehicle on or about \_\_\_\_\_ (date of sale) to Defendant \_\_\_\_\_ (name of buyer of vehicle). On information and belief, the last known address of the Defendant is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OR

I sold the used motor vehicle on or about \_\_\_\_\_ (date of sale) to Defendant \_\_\_\_\_ (name of buyer of vehicle). The last known address of the Defendant is unknown to me.

4. I attempted to comply with or did comply with the requirements set forth in Minn. Stat. § 168A.10, subd. 1 and reported the sale of said vehicle to Defendant Minnesota Department of Public Safety, Driver and Vehicle Services Division either online, by mail, or in person on or about \_\_\_\_\_.
5. This motor vehicle was free of any lien or other secured interest on the date of sale.
6. Defendant \_\_\_\_\_ (name of buyer of vehicle) failed to comply with the requirements set forth in Minn. Stat. § 168A.10, subd. 2 to execute the application for a new certificate of title and cause the certificate of title to be mailed or delivered to Defendant Minnesota Department of Public Safety, Driver and Vehicle Services Division.
7. The Defendant, Minnesota Department of Public Safety, Driver and Vehicle Services Division, continues to list me as the owner on the title of the motor vehicle due to the failure of Defendant \_\_\_\_\_ (name of buyer of vehicle) to comply with Minn. Stat. § 168A.10, subd. 1.
8. I have suffered the following harm as a result of the failure of Defendant \_\_\_\_\_ (name of buyer of vehicle) to comply with Minn. Stat. § 168A.10, subd. 1: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

Case Type: Other Civil/Miscellaneous

<p>_____, (seller of vehicle)  Plaintiff,</p> <p>vs.</p> <p>_____ (buyer of vehicle)  and the Commissioner of the Minnesota Department of Public Safety, Driver and Vehicle Services Division,  Defendants.</p>	<p>Court File: _____</p> <p><b>ORDER ON MOTION FOR CHANGE OF TITLE TO A MOTOR VEHICLE</b></p>
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Based on the Motion and all the files and records herein: (check all that apply)

- The Minnesota Department of Public Safety, Driver and Vehicle Services Division must modify its records to show that Plaintiff \_\_\_\_\_ (name of seller of vehicle) is no longer the owner of the motor vehicle bearing the Vehicle Identification Number \_\_\_\_\_ (VIN #).
- The Minnesota Department of Public Safety, Driver and Vehicle Service Division shall remove the name of the Plaintiff \_\_\_\_\_ (name of seller of vehicle) from the title to said vehicle and show the vehicle as untitled until another person appropriately establishes ownership of the vehicle.

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

BY THE COURT

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of District Court

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

Case Type: Civil Other/Miscellaneous

<p>_____, (seller of vehicle)  Plaintiff,</p> <p>vs.</p> <p>_____, (buyer of vehicle)  and the Commissioner of the Minnesota Department of Public Safety, Driver and Vehicle Services Division,  Defendants.</p>	<p>Court File: _____</p> <p><b>AFFIDAVIT OF MAILING TO THE COMMISSIONER OF THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY</b></p>
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I, \_\_\_\_\_ (name of person over 18 years of age who mailed copies), state that on \_\_\_\_\_ (date copies were mailed), I served the Notice of Motion, Motion, and Affidavit for Order Directing Change of title to a Motor Vehicle on the Commissioner of the Minnesota Department of Public Safety by placing a true and correct copy thereof in an envelope addressed as follows:

**The Commissioner of the Department of Public Safety  
C/O Attorney General's Office, Public Safety Division  
445 Minnesota Street, Suite 1800  
St. Paul, MN 55101-2134**

and depositing the same, with postage prepaid, in the United States Mail in the City of \_\_\_\_\_ (city where mailed) in the State of Minnesota.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
County and State where signed

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**State of Minnesota**

County of \_\_\_\_\_

**District Court**

Judicial District: \_\_\_\_\_  
Court File Number: \_\_\_\_\_  
Case Type: Civil \_\_\_\_\_  
Other/Misc. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

vs

\_\_\_\_\_  
Defendant (Buyer of Vehicle)

Commissioner of Public Safety  
Defendant

**Affidavit of Mailing to  
Defendant Buyer of Motor  
Vehicle**

I, \_\_\_\_\_ (name person over 18 years of age who mailed copies), state that on \_\_\_\_\_ (date copies were mailed), I served the Notice of Motion, Motion, and Affidavit for Order Directing Change of a Title to a Motor Vehicle on Defendant \_\_\_\_\_ (name of buyer of vehicle) by placing a true and correct copy thereof in an envelope addressed to him/her at their last known address at:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(address, city, state, and zip code of buyer of car)

and depositing the same, with postage prepaid, in the United States Mail at \_\_\_\_\_ (city where copies were mailed), Minnesota.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: \_\_\_\_\_

\_\_\_\_\_  
County and State where signed

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

DO NOT FILE THIS PAGE WITH ANY COURT

**DISCLAIMER:**

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