

Application for Mechanic's Lien and Auctioneer's Certification for a Trailer

READ THE IMPORTANT INSTRUCTIONS ON THE BACK.					
The following section is to be completed by the garage or person having the lien.					
Name of garage or person having lien		Street Address	City	State	Zip Code
Name of Person/Org leaving trailer for repairs		Street Address	City	State	Zip Code
Explain how you acquired the trailer:					
Name(s) of Trailer Owner(s)		Street Address	City	State	Zip Code
Year	Make of Trailer	Type of Trailer	Vehicle Identification Number		
State & Tag Number (If none, indicate)		Date Trailer Left for Repairs or Storage	Amount Owed		
Lien Arises from Charges Incurred for: (check applicable block)					
Repair	Rebuilding	Storage	Tires or Other Parts or Accessories		
<p>I/we certify, under penalty of perjury that notice of sale was given and that I/we have fully complied with the applicable provisions of Title 16 of the Common Law Article and that the statements made are true and correct to the best of my/our knowledge, information and belief.</p> <p><u>If the owner is a business entity, the person legally authorized to sign must state their capacity after their signature.</u></p>					
Signature of Garage Owner/Person Having Lien		Printed Name	Capacity	Date	
Auctioneer's Certification to be completed by the Auctioneer on the date of the Auction					
Name of Auctioneer			License Number (if applicable)		
Street Address		City	State	Zip Code	
Public Sale Date	Time of Sale	Place of Sale	City	State	Zip Code
Printed Name of Successful Bidder			Amount of Bid		
Bidder's Street Address		City	State	Zip Code	
<p>I/we certify, under penalty of perjury, that the trailer described above has been sold to the successful bidder named above at the time, date and place specified. I also certify that I have complied with the applicable statutes governing the licensing and regulation of Auctioneers in the Jurisdiction in which the sale of the above described trailer occurred.</p>					
Signature of Auctioneer		Printed Name	Date		

Instructions for Applying for a Mechanic's Lien for a Trailer

If a trailer has been abandoned on any property, a Mechanic's Lien CANNOT be processed. You must contact your local Police Department.

A trailer lien must go unpaid for ninety (90) days and letters must be sent at least thirty (30) days prior to the sale.

If a trailer owner disputes the amount of the charges, they may institute an action of replevin in the District Court.

A title will not be issued until the case has been decided in court.

The owner of a mobile home park must first obtain a court awarded judgement against the resident of the mobile home as required by CL § 16-202.

The procedures below must be followed:

Obtain a non-certified copy of the title and current registration record to ascertain all trailer owner(s) and lien holder(s). You may apply in person at any full service MVA or by mailing the Request for Motor Vehicle Administration Records (form DR-057) to the MVA, Certified Copies, Room 206, 6601 Ritchie Highway, Glen Burnie, MD 21062. There is a fee per record. If the trailer has an out-of-state license plate or you have knowledge the trailer could be registered out-of-state, you must contact the state in question for a copy of title and registration record.

- Creation of lien – Any artisan who, with the consent of the owner(s), has possession of goods for repair, mending, improving, or other work, has a lien on the goods for the costs of the work done. (An artisan includes any laborer, mechanic, repairman, and tradesman).
- Sale of goods – If the costs that give rise to the lien are due and unpaid 90 days after the work is completed, the artisan may sell the goods to which the lien is attached at public auction.
- Notice of sale – The artisan shall give at least 30 days notice of the sale by registered or certified mail return receipt requested (only the addressee's signature or an individual acting as agent will be accepted). The person(s) or business claiming a lien must send notification to:
 - each trailer owner must receive a separate letter
 - the lien holder(s)
 - MVA Mechanic's Lien Unit
 - the individual(s) who left the trailer for repairs
- Notification letter must contain the trailer year, make, vehicle identification number (VIN) and the time, date and location of sale. The trailer must be sold at a public auction in a place convenient to the general public, specifically between the hours of 10:00 a.m. and 6:00 p.m. If the owner's address is unknown, the notice may be given by publishing it once a week for **two (2) successive** weeks in one or more newspapers of general circulation in the county in which the work was done. **If the newspaper advertisement is incorrect, you will have to re-advertise and send certified letters again before the vehicle can be auctioned.**
- A copy of the newspaper notice must accompany the application for title or provide details of notification process on completed application. **Note:** *Anne Arundel County, Baltimore County and Baltimore City must have a licensed Auctioneer. All other counties need to have an acting auctioneer complete the auctioneer's certification. (A licensed auctioneer is not required).*
- Application of proceeds –
 - The proceeds of the sale shall be applied, in the following order:
 - (i) The expenses of the sale; and
 - (ii) The amount of the lien claim.
 - After application of the proceeds in accordance with Motor Vehicle Law, any remaining balance shall be paid to the owner of the goods.
- After the auction, send the following to the MVA:
 - Application for Mechanic's Lien and Auctioneer's Certification (VR-135) completed.
 - Copy of the newspaper advertisement and certification from the newspaper that the ad ran twice.
 - Pencil Tracing or affidavit of the Vehicle Identification Number (VIN).
 - Original signed postal receipt and copy of letter sent or the original unclaimed and unopened letters.
 - A work order authorized by vehicle owner(s), or a storage agreement that is signed by vehicle owner(s).
 - Application for Certificate of Title (VR-005) completed in full by the successful bidder.

Sample of advertisement that must appear in the legal section of local newspaper:

Mechanic's Lien:
1993 Chevrolet VIN J81RF3272H9554543
Date and time of Auction: October 18, 2009 at 11:00 a.m.
Place: Joe's Repair Shop
52 North Elm Street, Baltimore, Maryland 21216

Sample of Letter:

Motor Vehicle Administration
Attn: Mechanic's Lien Unit
6601 Ritchie Highway
Glen Burnie, Maryland 21062

On (Date) at (time am/pm) we will sell at public auction a (year, make and vehicle identification number) .

The auction will be held on the premises of (Business or Lienors name and address) .

Sincerely,

(Signature and Phone Number of Lienor)