

STORAGE LIEN INFORMATION & PROCESS

W.S. 29-7-101 through 106 AND 31-2-111

**BRING THIS CHECK OFF SHEET WITH YOU TO THE SHERIFF'S OFFICE
EVERYTIME YOU ARE WORKING ON THIS STORAGE LIEN.**

Name of Customer: _____ Phone: _____

Sheriff's Office Contact: _____ Phone: _____

This information is provided as a guideline for basic storage lien cases for vehicles, watercrafts, or mobile homes ("titled property"). If you have any questions, please refer to the statutes listed above OR contact an attorney for legal advice. Please keep in mind this maybe a multi-trip to Rawlins to complete this process.

INFORMATION:

If permission is given to a person to leave their titled property (temporarily) for storage purposes or repairs and that person does not pick up or pay for services performed on the titled property (as agreed to), a storage lien may be filed. However, the right of possession terminates six (6) months after the charges become due and payable. If you did **NOT** give permission to anyone to leave titled property, it is considered abandoned, and these procedures do not apply to you. Please contact the Sheriff's Department for information. Storage liens may be filed by a towing and recovery service. If the titled property is wrecked, damaged, disabled or apparently inoperable, has a value of less than \$2,000 as determined by NADA or another similar source and is subject to a storage lien under this process the County Clerk may issue you a certificate of title branded "Junk" only for the purpose of transferring ownership to a storage and disposal facility licensed under W.S. 31-13-114.

NOTE: ALL STEPS MUST BE COMPLETED IN THE FOLLOWING ORDER

STEP 1

Obtain a Vehicle (VIN) or Hull (HIN) identification number (serial number) inspection by any Wyoming Law Officer. They will fill out a portion of the **Application for Certificate of Title (VIN/HIN inspection)** form.

STEP 2

*New 2023 – Towing & Recovery services shall request a title search report from WYDOT within 5 business days after a towed vehicle has remained in a recovery lot for more than 5 business days. Once WYDOT responds, has 1 day to notify lienholder where vehicle is. Complete the Application for Abandoned Vehicle Identification Request or Vehicle Record and Privacy Disclosure Release and send to WYDOT. Ensure all information is correct, including the VIN/HIN. WYDOT may allow electronic submittal of the form and payment with a credit card for rushed results. The form can be found at:
http://www.dot.state.wy.us/files/live/sites/wydot/files/shared/Motor%20Vehicle%20Services/MV-220%20TITLE%20SEARCH%20FORM_fillable.pdf.

STEP 3 (Optional)

If the lien claimant desires to continue a lien without retaining possession of the property, before voluntarily releasing possession he/she may complete the **Storage Lien Statement Form** and have it notarized then recorded at the Carbon County Clerk's Office, Land Department, assuming the property is located in Carbon County. (This is a **LEGAL** document, if you have any questions, please contact an attorney). These are good for 6 months only, due date is usually the date that you are completing this form. The fee to record this is \$12 for the 1st page and \$3 for each additional page. The lien claimant may also proceed without completing this form and recording this lien. Recording Number: _____ Date recorded: _____

STEP 4

Within 30 days from the date payment is due, you (lien claimant) **MUST** send a notice, the **Notice of Intent to File, Enforce and Foreclose a Lien** via certified mail/return receipt to all persons known to claim an interest in the vehicle including the owner / lienholder(s) identified in Step 2, notifying them of the intent to file, enforce and foreclose a lien through the lien sale process. If there is no owner or lienholders revealed in the title search the lien sale process can proceed. The notice shall include

- Name & address of lien claimant
- Vehicle year, make, model, license plate # and state, VIN
- Statement of amount due
- Itemized list setting forth and describing work or service performed and the date of such services and amount for storage
- Name of person lien claimant alleges is contractually responsible to pay debt
- Nature of proposed sale
- Time and place of the sale. It is recommended the lien claimant allow a sufficient number of days (likely 10 or more days) after the notice has been received by the record owner and/or lien holder before the sale is held. The owner/lien holder must be allowed the opportunity to pay or they can file a civil action to obtain the proceeds of the sale.
- If the lien from Step 3 is recorded it is recommended that you send the recorded lien with this notice.

If lien claimant meets the criteria above, the claimant may move to Step 2 and storage fees are not capped. If the lien claimant fails to provide this notice during the time allowed, storage fees shall not exceed 180 days from the date of service.

Before any sale, any person claiming a right in the property may pay the amount necessary to satisfy the lien and the reasonable expenses incurred.

STEP 5

If this is a mobile home, you must check with the Carbon County Treasurer's office to see if there are any property taxes which are due. You can reach them at (307) 328-2631.

STEP 6

Hold your sale then complete the **Storage Lien Public Sale Report**.

STEP 7

Bring in the following papers to the Sheriff's Office to obtain a Sheriff's Certificate of Sale:

- A. Application for Certificate of Title (VIN/HIN Inspection) Form (Step 1)
- B. WYDOT title search results (Step 2)
- C. Recorded Storage Lien Statement, if applicable (Step 3)
- D. Letter & returned USPS green card (or returned, unopened letter) (Step 4)
- E. Property tax clearance from the Treasurer for mobile homes **ONLY**. (Step 5)
- F. Storage Lien Public Sale Report (Step 6)

STEP 8

If the lien from Step 3 was recorded, after issuance of your Certificate of Sale, complete the **Release of Storage Lien Form** and have it notarized then recorded. The fee for this to be recorded will be \$12 for the first page and \$3 for each additional page. Recording Number: _____

_____ Date recorded: _____

STEP 9

If all required steps have been followed and completed, including issuance of the Certificate of Sale from Step 7, take the Certificate of Sale, a completed copy of this check list and copies of all related items from this checklist to the County Clerk's Office and a title will be issued. The Clerk may issue a title however sales tax must be paid to the Treasurer's office before the title is given to the new owner.

Storage Lien Statement (Step 3)

Lienholder Name: _____
Address: _____
City/State/Zip: _____

Debtor Name: _____
Address: _____
City/State/Zip: _____

Total Amount of Bill Due to Lienholder: _____

Date Bill Became Due and Payable: _____

Note: The right of possession terminates Six (6) months after the charges become due and payable.

This Lien Statement covers the following Titled Property:

Year: _____ Make: _____ VIN #: _____

Title: _____ Is the item in your possession? (circle one) YES NO
Physical Location of vehicle: (physical address, City, State) _____

Date of Services: _____

Type of Services: _____

Misc. Information: _____

Others who may have an interest in this property:

Lienholders: Name(s): _____
Address: _____

Other: Name(s): _____
Address: _____

Date: _____ Lienholder Signature: _____

State of Wyoming)

) ss

County of Carbon)

Appeared before me

____ Who is personally known to me

____ Whose identity I proved on the basis of _____

____ Whose identity I proved on the oath/affirmation of _____, a credible
witness.

____ To be the signer of the above document, and he/she acknowledged that he/she signed it.

(seal)

Notary Public: _____

My commission expires: _____

**NOTICE OF INTENT TO FILE, ENFORCE AND FORECLOSE A LIEN THROUGH
TITLE 29, CHAPTER 7 OF WYOMING STATUTES**

(Step 4)

To (debtor responsible for this debt): _____

Address: _____

City/State/Zip: _____

I, _____, located at _____
_____ storage lien holder (lien claimant) intend to file,
enforce and foreclose a lien through the Wyoming lien sale process, Title 29, Chapter 7 of
Wyoming Statutes, have placed a storage lien on the following described property:

Year _____ Make _____ Model _____

Vehicle (VIN)/Hull (HIN) Identification Number (serial #) _____

License Plate State & Number _____

You currently owe \$ _____ for the following services _____

performed on (date) _____ plus \$ _____ for storage

fees. Storage fees are calculated from the date of service through _____ at

\$ _____ per day.

If you do not claim this property and pay the charges due, this titled property will be sold by
public or private sale at (location of sale) _____

on (date of sale) _____ (time of sale) _____.

Signature of Lien Claimant

Date Signed

***Note: This form is to be sent to the debtor within 30 days from the date payment is due and
must be sent by CERTIFIED MAIL RETURN RECEIPT. If this is not sent within 30 days of
the payment being due storage fees charged are limited to 180 days from the date of service.***

STORAGE LIEN
PUBLIC SALE REPORT
(Step 6)

On _____ day of _____, 20____, the following titled property
(vehicle/watercraft/mobile home) was sold to:

Name of Purchaser(s): _____

Address of Purchaser(s): _____

City/State/Zip of Purchaser(s): _____

for the amount of \$_____ which was the highest bid out of (number) _____ of bidders.

Year _____ Make _____ Model _____

Vehicle (VIN)/Hull (HIN) Identification Number (serial #) _____

Sold by: _____
(signature of seller)

Seller's Name (please print): _____

Seller's Address: _____

Seller's City/State/Zip: _____

Awarded Bid Amount \$_____

Storage or Mechanic Amount Due \$_____

Balance \$_____

Reminder: The additional amount over the lien is to be given to the debtor or previous lien holder should he/she demand so.

RELEASE OF STORAGE LIEN FORM
(Step 8)

Secured Party Name: _____

Debtor Name: _____

I, _____ (secured party) do hereby certify that a storage lien bearing the date of _____ against _____ (debtor) and was recorded in the office of the Carbon County Clerk on the _____ day of _____, 20____ under instrument number _____, Book _____ Page _____ against the following described property:

Year: _____

Vehicle/Watercraft/Mobile Home Make: _____

Vehicle (VIN)/Hull (HIN) Identification Number _____

The aforementioned debt is hereby released and discharged.

IN WITNESS THEREOF, I sign this release in the present of a Notary Public.

(Secured Party's Signature)

Date

STATE OF WYOMING)
)
COUNTY OF CARBON)
)

On this _____ day of _____, 20____, before me personally appeared _____
_____.

(seal)

(Notary Public)

My commission expires: _____