

How do I get rid of an abandoned boat on my property?

Generally these procedures are used by marinas, storage facilities, and repair facilities for watercraft that have been stored or fixed and go unclaimed. If you have found a boat on your property recently, contact your local authorities.

If the watercraft or outboard motor is valued at less than \$10,000 and has been left for six months without permission on property you own, you may sell the watercraft or motor at public auction and recover your maintenance or repair charges, including parts and labor charges and dockage or storage charges.

Following are the steps you **MUST** take:

- 1. Apply for a record search of the boat/motor.**

The property owner must send a Records Search Request to the ODNR Division of Parks & Watercraft to find out the name and address of the vessel's last recorded owner and to search for any lien or mortgage.

HOW TO APPLY FOR A RECORD SEARCH: Fill out a [Records Search Request \(DNR 8513\)](#) and send it to Division of Parks & Watercraft. Canoes and kayaks do not have titles, so there is no fee to look them up. Bigger boats and motors over 10hp have titles, though, and title searches cost \$2 for each boat or outboard motor. If the boat has an inboard motor, it is only \$2. If the boat has an outboard motor, both the boat and the outboard motor should be searched (\$4). If it is just an outboard motor, the cost is \$2. Send the form along with your check made payable to Division of Parks & Watercraft: ATTN: RECORD SEARCH, ODNR Division of Parks & Watercraft, 2045 Morse Road, Building A-1, Columbus, OH 43229-6693.

We'll send you back a copy of the actual law pertaining to abandoned property, an affidavit you will need later on, and any information we find out about the watercraft/motor. You may request a list of licensed watercraft dealers or contact a marine surveyor in your area.

- 2. Send notice via certified mail (return receipt requested) to the watercraft/motor owner and any lien holder or mortgagee.**

Upon receiving the results of the record search, you must send a notice to remove the boat/motor to the watercraft owner's last known address.

If there is a lienholder or mortgagee, you must send notice to them about where the boat/motor is located and any maintenance or repair charges due, including parts, labor, dockage or storage charges. If the lienholder or mortgagee doesn't claim the boat/motor within 45 days, the lien or mortgage is invalid. The lienholder/mortgagee may still claim funds from the auction sale of the boat/motor. [ORC 4585.33](#).

3. If the boat/motor is still unredeemed 45 days after return receipts are recovered, request to have the boat/motor appraised.

You need to get written confirmation on the fair market value of the boat/motor. (It must be less than \$10,000.) Along with the title search results, we will send you a list of licensed watercraft dealers or marine surveyors/appraisers in your area.

4. Advertise the public auction.

The advertisement of sale must be published once a week for two consecutive weeks in the auction section of a newspaper of general circulation in the county where the boat/motor has been left. The advertisement must include a description of the boat/motor, name of the owner, and the date, time, and place of sale.

5. Sale goes to highest bidder.

You must provide a reasonable time prior to the sale for prospective purchasers to examine the boat/motor. You may bid at the sale.

6. Immediately after the sale, you must file an affidavit.

The affidavit that we sent you with the title search results must be completed in triplicate. It should state that

1. the requirements of [ORC 4585.31](#) have been met;
2. what length of time the boat/motor was left on your property without permission (as of the auction sale date);
3. Expenses you incurred in connection with the boat/motor (cost of sale, maintenance or repair charges, cost of parts or labor, dockage or storage fees); and
4. the name and address of the purchaser of the boat/motor at the auction, and the bid amount.

7. When you get paid from the sale, you must give to the purchaser:

- the affidavit in triplicate;
- written confirmation of the value of the watercraft/motor;
- and the certified mail return receipts.

The purchaser can then get a title to the boat/motor. The purchaser must present the documentation received at the sale (affidavit in triplicate, appraisal, and return receipts) to the Clerk of Courts in the county where the sale was held and pay the titling fee to receive the certificate of title. The Clerk of Courts keeps one copy of the affidavit, forwards one copy to the Division of Watercraft, and forwards one copy to the County Treasurer.

The purchaser is free of any rights of the owner, lienholder, or mortgagee, even if you as the property owner have not complied with [ORC 4585.31 through 4585.34](#).

You as property owner are liable for damages caused by failure to comply with [ORC 4585.31 through 4585.34](#).

8. When you get paid from the sale, you must send money not owed to you, to the County Treasurer.

The County Treasurer deposits any money from the sale into the county treasury. You should send the treasurer the amount received from the purchaser LESS any expenses you incurred (the amount you listed on the affidavit).

If an owner, lienholder, or mortgagee did not assert claim to the boat/motor after receiving the certified mail, they have one year to assert claim to the amount after it is deposited in the county treasury. If no one asserts claim to the funds, after one year, the funds should be transferred to the general county fund by the county auditor.