

Commonwealth of Massachusetts

Office of the Sheriff

FRANKLIN COUNTY

CHRISTOPHER J. DONELAN
SHERIFF



LORI M. STREETER
SUPERINTENDENT

PROCESS DIVISION

MOTOR VEHICLE SEIZURE REQUEST/AUTHORIZATION

You have requested a seizure of a motor vehicle in the above captioned case. We will run the vehicle in the Registry of Motor Vehicle system to confirm ownership and to assure that the title is in the exact name as on the execution. In the event that we discover that the name listed on the execution does not match or there is a lien on the vehicle, the Franklin County Sheriff's Office will not seize the vehicle.

This office adheres to Mass General Laws Chapter 235, Section 34, 16th clause, which states: "An automobile necessary for the debtors personal transportation or to secure or maintain employment, not exceeding \$7,500.00 of wholesale resale value; provided, however, that the equitable value of a vehicle owned or substantially used by debtor who is either a handicapped person or a person 60 years of age or older shall be exempt up to \$15,000.00 in wholesale resale value".

Please note the following:

- *The defendant has 4 days to redeem after seizure.
- *Our office will set up sale date on the 5th business day of possession of the automobile unless notified by you that negotiations with debtor and you are underway.
- *We must sell by the 14th day after seizure of the vehicle if there is no request by the debtor for the sale to be published in the newspaper.
- * If the debtor (or you) request publication we will have to sell the vehicle within 30 days.
- * You or your client must be present to bid at sale. If there are no bidders, your client must be willing to bid and pay at least the cost of the sale plus the amount of the execution.
- * You must verify that there is no lien on the vehicle to be seized.

All costs for the sale are the responsibility of the plaintiff/attorney requesting seizure. If the debtor files bankruptcy or if there are no bidders at the sale the plaintiff/attorney requesting seizure remains responsible for the sheriff's fees, and the cost of towing and storage.

A check or money order in the amount of \$1,500.00 is required prior to vehicle seizure along with this signed and dated Motor Vehicle Seizure Request/Authorization form.

Estimated cost associated with the seizure and sale:

Cost of seizure: \$400.00 - \$600.00

Towing: \$125.00 - \$250.00 (for cars, motorcycles & light trucks)

Storage Fees: \$490.00 – if 14 days @\$35.00 per day

\$1050.00 – if 30 days @ \$35.00 per day

Auctioneer Fee: \$150.00

Advertising: \$120.00 - \$200.00 (if requested)

Postings: \$30.00

Debtor Notification: \$39.00 – \$53.00

Please sign and date below to confirm that you agree with the above terms/conditions and that there are no liens on vehicle to be seized and return to our office.

Approved Signature: _____

Date: _____

If you should have any questions please feel free to contact us at: 413-774-3235 or by email:
process@fcs.state.ma.us