

# FLORIDA AFFIDAVIT OF REPOSSESSION

Governed by Fla. Stat. § 319.28 | § 679 (UCC Art. 9) | § 537.012

Date of Application:

I (We) hereby certify that the below described motor vehicle or mobile home, which is currently titled in the name(s) of

has been lawfully repossessed as the result of a default in the terms of the security agreement by the titled owner(s). Said motor vehicle or mobile home is now physically in my (our) possession and has no other known liens against it. Furthermore, I (we) agree to defend the title to said property against all additional claims of ownership or indebtedness.

Vehicle Identification Number (VIN)

Year / Make / Model

Florida Title Number

Date of Repossession

**Name and Address of Individual/Firm Authorizing Repossession of Vehicle:**

Name  Title

Street Address

City  State  Zip

- Affiant certifies that at least 5 days prior to any sale of the above-described vehicle, written notice of the repossession was sent via certified mail to all subsequent lienholders of record on the last issued title, as required by Fla. Stat. § 319.28(2)(b).

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

Signature of Authorized Representative  Date:

**IF VEHICLE IS SOLD TO A NEW OWNER**

If this vehicle is to be titled and registered in a name other than yours, please complete the following section:

Vehicle sold on  for the amount of \$

Name of Purchaser

Street Address

City  State  Zip

**OPTIONAL AFFIRMATIONS — Check each applicable clause**

- [Optional] Peaceable Entry: Affiant certifies that the repossession of the above-described vehicle was conducted without a breach of the peace, in compliance with the self-help repossession provisions of Fla. Stat. § 679.609 (UCC Article 9).
- [Optional] Personal Property: Affiant certifies that all personal effects found inside the vehicle at the time of repossession were inventoried and the debtor was afforded a reasonable opportunity to retrieve said property, in accordance with Fla. Stat. § 537.012.

[Optional] Hold Harmless: Lienholder agrees to indemnify and hold harmless the State of Florida and any County Tax Collector from any and all claims, damages, or liability arising from the issuance of a new certificate of title based upon the sworn facts in this affidavit.

Section 319.28, Florida Statutes, governs the involuntary transfer of title to a repossessed motor vehicle or mobile home. Any person who knowingly makes a false statement in any application or affidavit required under the provisions of Chapter 319, or who commits fraud in any application, is guilty of a felony of the third degree, punishable as provided in §§ 775.082, 775.083, and 775.084, Florida Statutes. To transfer title, this affidavit should be accompanied by: (a) the current original title certificate; (b) Form HSMV 82040, Application for Certificate of Title With/Without Registration; and (c) a copy of the applicable security agreement or court order. If the original title was not recovered, Form HSMV 82101 (Lienholder's Application for Duplicate Title) may also be required.

**NOTARY ACKNOWLEDGMENT**

State of  County of

Subscribed and sworn to (or affirmed) before me on this  day of , 20

by

who is  personally known to me, or  produced  as identification

*(Seal)*

Notary Public — State of Florida

Print Name:

My Commission No.:

My Commission Expires: