



CHEROKEE NATION TAX COMMISSION LIEN FILING AND RELEASE GUIDELINES

Vehicles/Boats/Outboard Motors

The following is a general outline of Cherokee Nation vehicle/boat/outboard motor lien filing and release procedures.

To perfect a lien on a vehicle, boat or outboard motor, a properly completed Lien Entry Form, along with proper ownership documentation in the form of either an Application for Cherokee Nation Certificate of Title (Form 01-01) and the Manufacturer's Statement of Origin (MSO), a Cherokee Nation title, an out of state title, other tribe or territory title or an out of state, other tribe, or territory registration along with \$10.00 lien fee must be presented to the Cherokee Nation Tax Commission (CNTC) or a Tax Commission Agent (TC Agent). A listing of Cherokee Nation (CN) tag offices can be found in the Tag Office section of the Cherokee Nation website www.cherokee.org.

Perfection Date

For perfection of the security interest on a vehicle to begin from the date of execution of the entry form the Lien Entry Form (LEF) and all required documents and fees must be delivered by the lender to the CNTC Agent within twenty-five (25) days following execution of the security agreement. If this delivery is made more than twenty-five (25) days after the execution of the entry form, perfection of the security interest will occur at the time of delivery to the CNTC Agent. **Perfection of a lien on a boat or outboard motor shall begin upon delivery to the CNTC Agent.**

Lien Entry Form

Cherokee Nation offers one (1) lien entry form option:

Lien Entry Form 69-01: This entry form is formatted for personal computer use. It is available for downloading from the Motor Vehicle "Downloadable Forms" section of the Cherokee Nation website. www.cherokee.org

of filing. One (1) copy is to be attached to the titling documentation and sent to CNTC along with a copy of the lien fee receipt; two (2) copies of the LEF returned to lender attached to the lien fee receipt.



Perfection Procedures

The following should be followed by lenders in perfecting their liens under the described scenarios:

All lien entry forms must be typed, computer generated, or printed in a legible manner. Forms with illegible information will not be accepted.

A. New or Used Vehicle, Boat and Outboard Motor with Assigned MSO/Titles

NOTE: Do not include motor serial numbers on inboard boats lien filing documentation.

1. The debtor should surrender to the lender a signed application for Cherokee Nation title with either the assigned Manufactured Statement of Origin (if new) or the assigned out of state, other tribe, or territory title. If the vehicle is used with a Cherokee Nation title, the debtor should surrender the assigned Cherokee Nation title.
2. The lender should deliver the properly completed Lien Entry Forms (LEF), the application for Cherokee Nation title, assigned ownership documentation, \$10.00 lien fee to the TC Agent.
3. The TC Agent will stamp and record the date, time and receipt number on the face of the titling documentation and attach one copy of the LEF and one copy of the lien fee receipt. The agent will keep two (2) copies of the LEF and return one copy of the LEF, one copy of the lien fee receipt, the lien releases and title documentation to the lender.
4. The lender is to mail all the title documentation to the debtor along with one (1) copy of LEF #69-01 or a notice that the debtor must register the vehicle and pay all fees and taxes within thirty (30) days from the date of purchase. The lender will retain the original LEF, lien releases and lien fee receipt.
5. The debtor must pay all applicable taxes and fees within thirty (30) days from the date of purchase to avoid penalty. The lien will appear on the face of the title when issued.

B. Registered Cherokee Nation Vehicle, Boat or Outboard Motor Used As Collateral.

1. The lender is to prepare a LEF reflecting the name of the person or persons listed on the face of the Cherokee Nation title and deliver the LEF, Cherokee Nation title and \$16.00 (\$10.00 lien fee + \$6.00 title fee) to CNTC or a TC Agent for processing.
2. The TC Agent will process the lien, making all required notations and receipts.
3. The TC Agent will issue an Add Lien Title, reflecting the perfected lien.



C. Continuation of Existing Lien

Cherokee Nation statutes provide for a mandatory lien filing for any lender reflected on a Cherokee Nation title, out of state, other tribe, other territory, or assigned MSO. In that situation (i.e. absent proper lien entry filing documentation provided by the lien holder). The TC Agent will complete a lien entry form and collect a fee of \$10.00 to file the lien. The agent will make all required notations, produce receipts and distribute appropriately. The lien will be carried forward and appear on the face of the Cherokee Nation title when issued to the debtor.

D. Release of Lien

1. Within seven (7) business days after the satisfaction of a secured interest, the lender must furnish a **signed and dated** copy of the lien release to the Cherokee Nation Tax Commission and the debtor.
2. Upon release of the security interest, the owner may obtain a new certificate of title omitting the security interest. The title will be issued upon proof of release and payment of a \$6.00 title fee.

Importance of Vehicle Identification Number (VIN) Accuracy

We wish to further stress to lending institutions and those responsible for the execution of a Lien Entry Form the necessity of accuracy in the information contained therein, especially the Vehicle Identification Number (VIN). The VIN will be the sole source of locating the existence of a perfected lien in our files. Therefore, the importance of avoiding clerical or typographical errors is imperative. Errors in the VIN sometimes occur on the MSO. Therefore, those responsible for executing the LEF may want to personally verify the accuracy of the VIN as shown on the form. An inaccurate VIN will jeopardize lien perfection.

Information regarding the existence of perfected liens is not available by telephone. Written inquiries made to the Cherokee Nation Tax Commission require the Vehicle Information Request Form (CNTC 38-01) to be completed in its entirety and accompanied by the appropriate fee.

Our mailing address is: Cherokee Nation Tax Commission Motor Vehicle Division PO Box 948 Tahlequah, OK 74465. Our telephone number is 918-453-5100 or in state toll free 800-256-0671.