

## Procedures for enforcing a lien for repairs and/or storage in Cherokee County. Filing fee: \$35.

- 1) You must have the highway department run a check on the title of the vehicle. The highway department will tell you who the owner of record is of the vehicle and will also tell you who holds a lien against the vehicle (if one exists). It is absolutely essential that this be done. All owners and lien holders must be given notice.
- 2) You must send a certified letter, return receipt requested, to the owner of record of the vehicle and lien holder (if applicable).
- 3) Be thorough, complete and legible and provide as much detail as you possibly can when filling out all forms. If you are not accurate, you may not be able to sell the vehicle or get a clean title.
- 4) Thirty days after the date of your letter to the owner and lienholder, you must fill out the application for enforcement of garage and storage lien.
- 5) Thirty days after the date of your letter, you must bring the following documents to the Magistrate's Court.
  1. A copy of the title check from the highway department (SCDMV).
  2. A copy of your letter.
  3. The completed application.
  4. The signed return receipts from the certified mail.
- 6) Storage charges being with the date your letter is received. The maximum amount of your lien, including repair costs and storage charges cannot exceed **\$7,500**. If they do, you must file in the Court of Common Pleas.
- 7) If the owner or lienholder disputes the amount, the court will notify all parties of the date and time of hearing.
- 8) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, you must provide notice by one publication in one newspaper of general circulation in the area from which the vehicle was abandoned which is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles.