Correct entity’s name or type of entity

Contact

Examiner of Titles

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Website

[hennepin.us](http://www.hennepin.us/)

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This type of directive corrects an entity’s name or designation on a certificate of title; Minn Stat § [508.71](https://www.revisor.mn.gov/statutes/cite/508.71), Subd 3

**Do you need a directive?**

* No, if the name or entity type was correct when the certificate of title was created, but the name or entity type was later changed, file the appropriate document with the registrar of titles instead
* No, if a mortgagor’s name is incorrect *only* on a mortgage; please email ex.titles@hennepin.us for further instructions
* No, if a trustee, personal representative, or conservator is replaced; file document showing the change (e.g., certificate of trust showing new trustee, or amended letters)
* Yes, if name is incorrect due to a typographical or scrivener’s error in the document that created the certificate of title

**To request a Directive:**

* Send an email to ex.titles@hennepin.us and include with the email:
	+ a draft affidavit made by an officer of the corporation, manager of the limited liability company, or partner of the limited partnership; please modify the following sample affidavit as appropriate
	+ a copy of a Certificate of Good Standing from the Secretary of State showing the entity’s correct name and type of entity
	+ a copy of a Certificate of No Record from the Secretary of State showing that no entity exists with the incorrect name
	+ You might need certificates from different states (e.g., ABC a MN corporation, is incorrectly shown as ABC, a WI corporation; in this case, submit a Certificate of No Record from the WI Secretary of State and a Certificate of Good Standing from the MN)

There is no fee for issuing an examiner’s directive, but recording fees may apply.

**AFFIDAVIT REGARDING LEGAL NAME, TYPE OF ENTITY, OR STATE OF REGISTRATION**

**[Please delete bracketed sections that are instructional and sections that do not apply to you.]**

|  |  |
| --- | --- |
| State of Minnesota, County of **[…]** |  |

**[Insert name of Affiant]** being first duly sworn on oath says:

1.  Affiant is the **[…]** of **[…]**, a **[…]** under the laws of **[…] (**“the **Business Entity**”).

2. Affiant has personal knowledge of the facts stated in this affidavit.

3.  That because of a mistake in document no. **[…]** the instrument creating certificate of title no. **[…]**, the Business Entity’s name is incorrectly shown as **[…].**

**[Or] That because of a mistake in document no. […] the instrument creating certificate of title no. […],** **the [type of entity/state of registration of Business Entity] was incorrectly shown as […].**

4.  That the Business Entity’s true and correct **[legal name/type of entity/state of registration]** at the time of execution of document no(s). **[…]** was **[…],** as evidenced by the Certificate of Good Standing from the Secretary of State attached to this affidavit.

5. That there is no entity by the name of **[…]** as evidenced by the Certificate of No Record from the Secretary of State attached to this affidavit.

6.  That I make this affidavit in support of a request to correct the Business Entity’s **[legal name/type of entity/state of registration]** on certificate of title no. **[…]**.

|  |  |  |
| --- | --- | --- |
|  |  | Affiant (signature)               **[printed name of Affiant]** |
|  |  |  |

Signed and sworn to before me on **[month/day/year]**, by **[insert name of Affiant]**.

|  |  |  |
| --- | --- | --- |
| (Stamp) |  |                  (signature of notarial officer)Title (and Rank):                   My commission expires:                    (month/day/year) |