



Travis <tcmerd@gmail.com>

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**Tracking Number: 91216**

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**Bruce Moore** <Bruce.Moore@tn.gov>  
To: Travis <tcmerd@gmail.com>  
Cc: Michael Barber <Michael.Barber@tn.gov>

Mon, Jun 30, 2025 at 11:43 AM

Good morning, Regarding your complaint I want to outline the following issues you are presenting as potential violations and our regulatory authority. As I've previously stated, we only have regulatory authority to review the contractual agreement between you and your carrier and determine compliance with that contractual agreement and adherence to written regulations. That is the limit of our regulatory authority.

The major issue in this particular case is the fact that you don't possess a clean title for the vehicle which you have not been able to obtain in the two years of ownership. As outlined in the response, a clean title is required in order to indemnify for the loss pursuant to the contractual agreement. They specifically stated in the response:

"Without a title in Mr. Herd's name, we cannot establish that he is the legal owner of the vehicle, ensure we are paying the rightful owner, or confirm that the vehicle is free from liens or other encumbrances. Without a perfected title in his name, we also cannot process salvage on the loss vehicle. Mr. Herd has not responded to these points and continues to claim that the handling representative told him otherwise, despite what he has been told by the county clerk and others here at Progressive. He maintains that we now own the vehicle, which is not true, and he cites fictitious statutes as proof."

This statement is outlined in your contractual agreement you have with your carrier.

You have argued that you pay premiums and expect the carrier to assist you with finding the prior legal owner. I can find nowhere in any state regulation or in your contractual agreement that the carrier is required to assist you with determining the legal owner of your vehicle and assisting you with titling the vehicle. The insurance company as a courtesy attempted to assist you with identifying the prior owner and provided information to you that you called "lies and misinformation" That information doesn't fall under our regulatory authority.

You have also stated that initially the carrier informed you that they didn't accept surety bonds, a requirement here in the state of Tennessee. In addition, you have asserted that the company has lied regarding the timeline of events involving communication with you. If you require clarification regarding this alleged misinformation, you are welcome to address it in an email rebuttal to the carrier. As I have stated we don't regulate telephonic or email communications regarding claim processing. If you feel that is something that needs to be pursued, I would suggest that you obtain legal advice and pursue the remedy in a legal venue such as civil court.

In an effort to assist you I have listed the purpose of the surety bond and how to obtain one as outlined directly from the TN Department of Revenue website below.

In Tennessee, a surety bond is required to obtain a clean title for a vehicle when the owner cannot provide a properly assigned Certificate of Title. This bond protects the state and the public by ensuring that any claims against the vehicle's ownership can be addressed financially. The bond amount is typically 1.5 times the vehicle's value.

As outlined in the TN.gov Dept of Revenue website, the following is the process to obtain a surety bond:

## VT-12 - The Surety Bond Process

If the department is not satisfied as to the ownership of a vehicle and there are no known liens on the vehicle, and the vehicle has not been reported as stolen, the department may register the vehicle, but as a condition of issuing a certificate of title, require the owner to complete additional steps depending on the fair market value and age of the vehicle.

### **Certification of Ownership vs. Surety Bond**

To obtain a certificate of title, an owner of a vehicle meeting the description above, with a fair market value of \$3,000 or less, OR with a manufacture year of at least 30 years old regardless of fair market value, must complete the Certification of Ownership process as outlined using the [Certification of Ownership](#) form.

To obtain a certificate of title, an owner of a vehicle meeting the description above, with a manufacture year of less than 30 years old AND with a fair market value exceeding \$3,000 must contact the department's Special Investigation Section to begin the "surety bond process," using the [Surety Bond Application](#).

### **REQUIREMENTS:**

The [Surety Bond Application](#) must be completed and supported by the following:

1. **A Bill of Sale from the last registered owner or a notarized statement from the seller stating why the vehicle was not titled or registered in the seller's name.**

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In the absence of a Bill of Sale or notarized statement from the seller, please provide:

- **For a vehicle** (car, truck, golf cart, motorcycle, camper, trailer, etc.): provide a written appraisal of your vehicle (showing its current value today) from a local licensed dealer or website such as [www.kbb.com](http://www.kbb.com) or [www.nadaguides.com](http://www.nadaguides.com).

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