



South Carolina Department of Motor Vehicles

Trust Checklist

TI-009A
(Est. 2/07/2022)

Trust Documents

1. Required trust documentation:

- a. Certification of trust or declaration of trust (these are preferred, but must specifically state that the trustee(s) have the power to buy, sell, title, or transfer personal property)

OR

- b. Whole trust document (must specifically state that the trustee(s) have the power to buy, sell, title, or transfer personal property)

OR

- c. Parts of trust document – If only part of a trust document is given, at a minimum the DMV must have:
- i. signature and notarization pages;
 - ii. list of those designated to be the trustee(s);
 - iii. powers of the trustee(s) (must include the power to buy, sell, title, or transfer personal property); and
 - iv. name and date of the trust

2. The trust document must be notarized.

3. The trust document must be signed by all trustee(s).

4. If a successor trustee(s) signed for the transaction to be completed, documentation of trustee death, incapacity, resignation, or unavailability must be provided to DMV.

Title Application (DMV Form 400) & Certificate of Title

5. All trustees required to act on behalf of the trust must have signed for the transaction (certificate of title, Form 400, etc.).

6. The Form 400 must include the name and date of the trust. For example, “John Smith Trust DTD 12/31/2014.”

7. The Form 400 must include the name of the trustees.

8. The Form 400 must include the word “Trustee” following the trustee(s) name and/or signature in each place where signing or completing as a trustee.

9. If the transaction is in the name of the trust only, with individuals named as trustees, ensure the Form 400 does not indicate any shared ownership between the trust and the trustee(s) (e.g. “Or” and “And” are not checked). “And” or “Or” should only be marked if the transaction is in the name of the trust and another owner.

10. The certificate of title must include the word “Trustee” following the trustee(s) name and signature in the applicable buyer or seller assignment sections.