

## **Frequently Asked Questions regarding Transfer of Ownership of a registered American Saddlebred without the Signature of the Last Recorded Owner(s)**

### **How do I transfer a horse into my ownership if I do not have a transfer of ownership form signed by the recorded owner?**

The Registry may transfer the registration of the horse to the new owner when presented with the following items:

- A copy of a court order, such as a divorce decree, certificate of qualification of personal representative of a deceased owner, or other court order or satisfactory proof of authority for the transfer.
- Payment of transfer fees, if applicable. Please note that the following are among the group that are exempt from payment of transfer fees: 501(c)(3) nonprofit rescue organizations and humane societies.

### **What does the court order need to say?**

If you are submitting a divorce decree or documents identifying you as executor of the estate we will need the section of the court order showing that you are the legal owner of the horse(s) as well as the official court seal. Please note that you do not need to submit the full decree and can block out sensitive or personal information.

Following is an example of the language for a court order that is acceptable by the Registry: (Please note that the Registry would not be listed as a party)

*The Court hereby directs and orders the American Saddlebred Horse and Breeders Association, Inc., a Kentucky corporation ("ASHABA") to transfer the registration of [INSERT] (collectively, the "Transferring Horses" and each, a "Transferring Horse") from [INSERT] (the "Seller") to [INSERT] (the "Buyer") and for which ASHABA required transfer reports and other items have not been executed by the Seller and filed with ASHABA, provided, ASHABA first receives payment for any and all fees and expenses charged by ASHABA for the transfer of the registration of such Transferring Horses and provided that such transfers otherwise comply with any rules and regulations of ASHABA applicable to the transfer of registration of such Horses, including without limitation, satisfactory completion and submission to ASHABA of all appropriate forms and certificates (other than those that are the subject of this Order) and satisfactory completion and submission of any DNA or other identification required by the rules and regulations.*

### **I bought my horse at an auction / through a seizure / by legal adoption by a 501(c)(3) rescue organization but there is a broken chain of ownership. Can I still transfer ownership into my name?**

If the horse has been identified by DNA testing through the Registry, you may submit a request to the Registry for staff assistance with updating the chain of ownership. Please include the name of the organization from whom you purchased the horse as

well as proof of purchase and a \$100 fee for assistance with updating the chain of ownership. Note, the Registry may request additional information at its discretion.

### **How will the Registry assist me?**

The Registry will notify the last recorded owner of the horse. The notification will be sent to the last recorded owner's address on file with the Registry by registered mail, return receipt requested. The notification will request that the last recorded owner consent to the recording of the transfer of the horse to the new owner and will state that if the owner fails to respond to the notification, the Registry may process the transfer of ownership and issue a duplicate certificate.

If the last recorded owner fails to respond within 30 days of the date of the first notification or if the letter is returned as undeliverable, the Registry shall send a duplicate letter to the last recorded owner. If the last recorded owner fails to respond to the second letter within 30 days of the date of the second letter or if the letter is returned as undeliverable, the Registry may, upon approval by the Registry Rules Committee, process the transfer of ownership and issue a duplicate certificate.

### **Who should I contact with additional questions?**

You may contact Katriona Adams, Interim Registrar, at [k.adams@asha.net](mailto:k.adams@asha.net) or at (859) 259-3885 or fax (859) 259-1628.