



U.S. Department
of Transportation
**Federal Aviation
Administration**

Mike Monroney
Aeronautical Center

P.O. Box 25082
Oklahoma City, Oklahoma 73125

January 4, 1989

N. Madro Bandaries III
First Airborne Aviation, Limited
P.O. Box 686
Waskom, TX 75692

Dear Mr. Bandaries:

Aircraft N909RB

Your letter of November 4, 1988, to Mr. Joe Bradley of Flight Standards District Office 62 has been directed to me attention. I am the Assistant Chief Counsel for the Aeronautical Center and I advise the FAA Aircraft Registry which has taken the registration action with respect to civil aircraft N909RB.

In your letter of November 4, 1988, you indicate that that aircraft was fraudulently transferred by your former spouse, Amy Derivas Bandaries, as Secretary-Treasurer of First Airborne Aviation, LTD. You state that at the time of the transfer (purportedly on April 3, 1987), Ms. Bandaries was no longer an officer of that corporation. You indicate that you are the majority stockholder and that Mrs. Bandaries has had no interest in the aircraft since October 1985.

You indicate that the present registered owner, Crawford Willis, had returned the aircraft to avoid arrest but then initiated a civil action claiming ownership based in part on "his fraudulently attained title from FAA."

Finally, you seek FAA's help with respect to Mr. Willis' using as proof of ownership the alleged fraudulently attained title from FAA.

In addressing your request, first let me point out that FAA does not issue "title" to aircraft. We issue aircraft registration certificates based on U.S. citizenship and evidence of ownership. (Reference Section 501(b) of the Federal Aviation Act, 49 U.S.C. 1401(b).)

In fact, Section 501(f) of the Federal Aviation Act makes clear that an aircraft registration certificate "shall not be evidence of ownership of aircraft in any proceeding in which such ownership by a particular person is, or may be, in issue."

Therefore, your concern about Mr. Willis using his aircraft registration certificate to establish ownership in a civil proceeding in which ownership is in issue, is probably not justified.

Enclosed are copies of record which show a sale of the aircraft to First Airborne Aviation, LTD., and an application for aircraft registration which you signed as president on March 21, 1985. The records also show a sale on April 3, 1987, to Mr. Willis by First Airborne Aviation, LTD. acting through Mrs. Bandaries, Secretary-Treasurer.

Based on the aircraft Bill of Sale, Mr. Willis was issued a certificate of aircraft registration for N909RB. The enclosed records reflect the above described transactions.

The FAA Registry will issue a certificate of aircraft registration for aircraft previously registered in the United States if an applicant complies with Section 47.35 of the Federal Aviation Regulations. Incident thereto, if the applicant bought the aircraft from the last registered owner, the conveyance must be from that owner to the applicant (reference 14 CFR 47.35(a)(1)). Mr. Willis met that requirement with the aircraft bill of sale.

Therefore, it appears that Mr. Willis' application was in order and the aircraft was properly registered in his name.

If you are able to obtain a court order (certified copy) voiding the sale to Mr. Willis, the FAA Aircraft Registry will consider its relevance with respect to registration under Part 47 of the Federal Aviation Regulations or with respect to recordability under Part 49 of the Federal Aviation Regulations.

The Registry's address is:

Federal Aviation Administration
Aircraft Registration Branch (AVN-450)
6500 S. MacArthur
Oklahoma City, OK 73169

If you have any question, feel free to call me at (405) 686-2296.

Sincerely,

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Joseph R. Standell
Assistant Chief Counsel of
the Aeronautical Center

Enclosures