

CERTIFIED MAIL — RETURN RECEIPT REQUESTED

February 14, 1986

Mr. Robert Garretson
1415 North Dearborn Street
Chicago, IL 60610

Dear Mr. Garretson:

Registration of N38RG

On July 17, 1984, Piper PA-31P, Serial Number 31P-7530007, registration number N38RG, was registered to you. In July 1985, information was received that the aircraft was registered in Belgium as OO-MAE to Albert Maes of Oostende, Belgium. On July 29, 1985, we advised you of this information, and further advised you that unless this dual registration was satisfactorily explained, the U.S. registration would be cancelled. That letter gave you until August 8, 1985, to respond.

On August 15, 1985, since we received no response from you, the registration for N38RG was cancelled pursuant to Section 47.41(a)(1) of the Federal Aviation Regulations. Since that time, you have called and submitted your affidavit to the Registry advising that you had made arrangements for the sale of the aircraft to Mr. Maes, but that it had not been consummated; that nevertheless Mr. Maes had taken the aircraft out of the United States to Belgium, and is alleged to have exported it and substantiated his ownership by irregular means.

However, you have not disputed that the aircraft is registered in Belgium. Article 18 of the International Civil Aviation Treaty, to which the United States is a signatory, states that "An aircraft cannot be validly registered in more than one State, but its registration may be changed from one State to another." All of the information you have submitted indicates that this is a private matter between you and Mr. Maes, possibly others, which may involve a determination of ownership rights and the validity of the Belgium registration: we may not adjudicate any aspect of this controversy.

Therefore, we have determined that the cancellation of registration of N38RG based on the undisputed fact that the aircraft is registered in another county, was an appropriate action at the time it was taken, and we will not disturb it now. Accordingly, we will not withdraw or rescind the cancellation of registration, nor reregister the aircraft to you at this time. We will, however, give full consideration to the judgment of a court of competent jurisdiction which may speak to these issues.

Sincerely,

Joseph R. Standell
Aeronautical Center Counsel

By: 

R. Bruce Carter
Attorney Advisor

cc:
AAC-250

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