

New York Exemptions

Married couple filing together can double exemption amounts

Asset	Details	Amount	Authority
Cash, Exemption	Includes: cash, bank accounts, saving bonds and tax refunds	\$5,525 Only available if not using Homestead Exemption. Also, this exemption will be reduced if using more than \$5,000 of Personal Property Exemption or if exempting an annuity that was purchased within the past 6 months.	N.Y. Debt. & Cred. Law § 283 (2)
Cemetery Exemption	Land, set apart as a family or private burying ground, is exempt upon the following conditions only: <ol style="list-style-type: none"> 1. a portion of it must have been actually used for that purpose; 2. it must not exceed in extent one-fourth of an acre; and 3. it must not contain any building or structure, except one or more vaults or other places of deposit for the dead, or mortuary monuments 	Exempt	N.Y. Civ. Prac. Law § 5206 (f)
Crime Victim Award	An award under a crime victim's reparation law	Exempt	N.Y. Debt. & Cred. Law § 282 (3) (i) N.Y. Exec. Law § 632



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Future Earnings	A payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent.	To the extent reasonably necessary for the support of the debtor & any dependent of the debtor.	N.Y. Debt. & Cred. Law § 282 (3) (iiii)
Health Aids: Medical & Dental accessories		Exempt	N.Y. Civ. Prac. Law § 5205 (h) (1)
Health Aids: Guide, service or hearing dog		Exempt	N.Y. Civ. Prac. Law § 5205 (h) (2)
Homestead Exemption	Home, co-op, condo or mobile home	<p>\$165,550 for the following counties: Richmond, Kings, Queens, New York, Bronx, Nassau, Suffolk, Westchester, Rockland & Putnam</p> <p>\$137,950 for the following counties: Dutchess, Orange, Ulster, Columbia , Albany & Saratoga</p> <p>\$82,775 for all other counties.</p>	N.Y. Civ. Prac. Law § 5206 (a)
Insurance: Annuity	The use of this exemption may limit your cash and personal property exemptions.	Exempt unless a court finds a portion of such payments are not necessary to meet the debtor's ordinary financial needs. Annuities purchased within 6 months of filing are limited to \$11,025	N.Y. Ins. Law § 3212 N.Y. Debt. & Cred. Law § 283 (1)



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Insurance: Disability Insurance		Exempt	N.Y. Ins. Law § 3212 (c) N.Y. Debt. & Cred. Law § 282 (2) (c)
Insurance: Life Insurance	Proceeds from a life insurance policy	Exempt	N.Y. Ins. Law § 3212 (b) N.Y. Debt. & Cred. Law § 282 (2) (e)
Matrimonial awards	Payments pursuant to an award in a matrimonial action, for the support of a wife, where the wife is the judgment debtor, or for the support of a child, where the child is the judgment debtor	Exempt to the extent reasonably necessary for the support of the debtor and any dependent of the debtor	N.Y. Civ. Prac. Law § 5205(d) (3) N.Y. Debt. & Cred. Law § 282 (2) (d)
Motor Vehicle	1 per debtor	\$4,425 (limit) If motor vehicle has been equipped for use by a disabled debtor then the limit is \$11,025	N.Y. Debt. & Cred. Law § 282 (1)
New York State College Choice Tuition Savings Program Trust Fund	Funds in an account created pursuant to article fourteen-A of the education law are exempt from application to the satisfaction of a money judgment as follows:	100% of monies in an account established in connection with a scholarship 100% of monies in an account is exempt where the judgment debtor is the account owner and designated beneficiary of such account and is a minor An amount not exceeding \$11,025 in an account, or in the aggregate for more than one account, is exempt where the judgment debtor is the account owner.	N.Y. Civ. Prac. Law § 5205(j)



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Partnership	Property of a partnership	Exempt	N.Y. Partnership Law §5 1 (c)
Personal Injury	Payment on account of personal bodily injury.	\$7,500 (does not include pain & suffering or compensation for actual pecuniary loss)	N.Y. Debt. & Cred. Law § 282 (3) (iii)
Pension & Retirement Benefits	Payments under a stock bonus, pension plan such as 401 (k), 403 (b) or other ERSIA approved plan, IRA, profit sharing or similar plan are exempt	To the extent reasonably necessary to support debtor and dependents unless the plan was established by the debtor or an insider that employed the debtor	N.Y. Debt. & Cred. Law § 282 (2) (e) N.Y. Civ. Prac. Law § 5205(c) N.Y. Ins. Law § 4607
Personal Property	<p>stoves & heating equipment with fuel for 120 days</p> <p>sewing machine</p> <p>books, photos and family portraits (\$550 limit)</p> <p>seat or pew at place of public worship</p> <p>domestic animals and food for 120 days (\$1,100 limit)</p> <p>wearing apparel, household furniture, refrigerator, radio, television, computer, cell phone, crockery, tableware, cooking utensils, health aids</p> <p>wedding ring, watch, jewelry and art (\$1,100 limit)</p>	<p>This exemption is only available if not using the Homestead Exemption.</p> <p>The aggregate value of assets allowed to be exempt under this section is limited to \$11,025</p> <p>Also, this exemption will be reduced if exempting an annuity that was purchased within the past 6 months.</p>	N.Y. Civ. Prac. Law § 5205(a) (1-9)



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	<p>tools of trade (\$3,300)</p> <p>If no homestead exemption is claimed, then \$1,000 in personal property, bank account or cash</p>		
Public Assistance		Exempt	N.Y. Debt. & Cred. Law § 282 (2) (a) N.Y.Soc. Serv. Law §137
Security Deposits		Exempt	N.Y. Civ. Prac. Law § 5205(g)
Social Security		Exempt	N.Y. Debt. & Cred. Law § 282 (2) (a)
Trusts		Exempt	N.Y. Civ. Prac. Law § 5205(c)
Trust Fund	Income	90%	N.Y. Civ. Prac. Law § 5205(d) (1)
Unemployment Compensation		Exempt	N.Y. Civ. Prac. Law § 5205(a) (7) N.Y. Lab. Law § 595 N.Y. Debt. & Cred. Law § 282 (2) (a)
Unpaid milk proceeds		90%	N.Y. Civ. Prac. Law § 5205(d) (2)
Veterans' Benefits		Exempt	N.Y. Debt. & Cred. Law § 282 (2) (b)



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Wages	Earnings received within 60 days or any time after income execution by Sheriff	90% of the earnings for his personal services	N.Y. Civ. Prac. Law § 5205(d) N.Y.Soc. Serv. Law §137-a
Wages: Armed Forces		Exempt	N.Y. Civ. Prac. Law § 5205(d)
Wild Card for personal property, bank accounts or cash	if no homestead exemption is claimed	\$1,100	N.Y. Civ. Prac. Law § 5205(a) (9)
Workers' Compensation		Exempt	N.Y. Debt. & Cred. Law § 282 (2) (c)
Wrongful Death	Payment on account of the wrongful death of an individual of whom the debtor was a dependent.	To the extent reasonably necessary for the support of the debtor and any dependent of the debtor	N.Y. Debt. & Cred. Law § 282 (3) (ii)

