



## CIVIL COURT OF THE CITY OF NEW YORK

### Instructions for Filing a Small Claims/Commercial Claims Action

#### **JURISDICTION:**

The maximum claim in the Small Claims/Commercial Claims Part is \$5,000.00.

If you are a Claimant who lives OUTSIDE New York City, you must sue in the county where the Defendant either resides, has an office or a place of regular employment within New York City.

**SMALL CLAIMS:** - In Small Claims the claimant can be a private individual or a sole proprietor only.

For Small Claims, use form CIV-SC-50.

For each Small Claims action under \$1,000, the fee is \$15.00.

For each Small Claims action between \$1,000.01 and 5,000.00, the fee is \$20.00.

There is no additional postage fee for multiple Defendants.

#### **COMMERCIAL CLAIMS:**

*For Commercial Claims, use form CIV-SC-70*

*For each Commercial Claims action, up to \$5,000.00, the fee is \$25.00 plus \$4.79 for postage, for a total of \$29.79.*

*For each Additional Defendant on the same Commercial Claim, only the postage fee of \$4.79 is required.*

*In Commercial Claims, the Claimant can be a corporation, a partnership or an association. If you fit that criterion you can only sue in Commercial Claims Court if the PRINCIPAL OFFICE of your business is located in New York State. If your business is located WITHIN New York State, but OUTSIDE New York City, the suit must be brought in the county where the Defendant resides, has an office to transact business or regular employment.*

*Please note that no more than five Commercial Claims actions per calendar month are permitted by law. Commercial Claims Claimants must complete the appropriate section on the back of the form and have it Notarized.*

#### **ALL CLAIMS:**

Only one Claimant and one Defendant may be included on each form. If you are suing more than one Defendant, you must use a separate claim form for each Defendant. You may duplicate the forms if necessary.

You must provide the full and correct NAME of the person or firm you are suing. The correct name of any business should be determined by checking with the County Clerk in the county where the business is registered.

You must provide the correct STREET ADDRESS of the person or firm you are suing. We cannot accept Post Office Box numbers for either the Claimant's address or the Defendant's address.

Date and Sign the front of the form.

#### **PAYMENT OF FEES:**

Fees can be paid by Bank Check, Tellers Check, Certified Check or attorney's check or by Money Order, made payable to "CLERK, CIVIL COURT."

No personal or company checks will be accepted. Please DO NOT SEND CASH BY MAIL.

#### **FILING BY MAIL:**

**Send a) your completed and signed Claim form, b) payment of the fee, and c) a self-addressed 6" x 9" envelope with 80¢ postage (3 ounces) to the Court.** The date for your hearing will be approximately six weeks after we receive your Statement of Claim form. The Court will provide you with an "Instructions to Claimant" form which will include notice of your court date and time, plus a booklet which will thoroughly explain the Small/Commercial Claims procedure.