**UNITED STATES BANKRUPTCY COURT**

**MIDDLE DISTRICT OF NORTH CAROLINA**

**In the Matter of: )**

 **) Case No.**

**)**

 **) DEBTOR'S CLAIM FOR**

 **) PROPERTY EXEMPTIONS**

**Debtor. )**

**NOTE**: You must complete this form in addition to Official Form 106C (Schedule ‘C’) to claim property as exempt if: (1) your domicile was located in North Carolina for the 730 days immediately preceding the date of the filing of the petition, or (2) your domicile was not located in a single state for those 730 days, but your domicile was located in North Carolina for 180 days immediately preceding the 730-day period or for a longer portion of such 180-day period than in any other place. For more information, please refer to Local Rule 4003-1 of the United States Bankruptcy Court for the Middle District of North Carolina. Schedule ‘C’ may be found at <https://www.uscourts.gov/forms/bankruptcy-forms>.

I, , the undersigned Debtor, hereby claim the following property as exempt pursuant to 11 U.S.C. § 522(b)(3)(A), (B), and (C), the laws of the state of North Carolina, and non-bankruptcy federal law.

1. **REAL OR PERSONAL PROPERTY USED BY DEBTOR OR DEBTOR'S DEPENDENT AS RESIDENCE OR BURIAL PLOT.** (NCGS 1C-1601(a)(1)).
Select appropriate exemption amount below:
🞏 Total net value not to exceed $35,000.

🞏 Total net value not to exceed $60,000. (Debtor is unmarried, 65 years of age or older, property was previously owned by Debtor as a tenant by the entireties or joint tenant with rights of survivorship, and former co-owner is deceased.)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description ofProperty & Address** | **MarketValue** | **Mtg. Holder orLien Holder(s)** | **Amt. Mtg.or Lien** | **NetValue** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |

 (a) Total Net Value $
 Total Net Exemption $

 (b) Unused portion of exemption, not to exceed $5,000. $

 (This amount, if any, may be carried forward and used to

 claim an exemption in any property owned by Debtor.

 (NCGS 1C-1601(a)(2)).

2. **TENANCY BY THE ENTIRETY.** The following property is claimed as exempt pursuant to 11 U.S.C. § 522(b)(3)(B) and the laws of the state of North Carolina pertaining to property held as tenants by the entirety.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description ofProperty & Address** | **MarketValue** | **Mtg. Holder orLien Holder(s)** | **Amt. Mtg.or Lien** | **NetValue** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |

3. **MOTOR VEHICLE.** (NCGS 1C-1601(a)(3). Only one vehicle allowed under this paragraph, with net value claimed as exempt not to exceed $3,500.)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year, Make,Model of Auto** | **MarketValue** | **Lien Holder(s)** | **Amt. Lien** | **NetValue** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |

(a) Statutory allowance $ 3,500

(b) Amount from 1(b) above to be used in this paragraph.

 (A part or all of 1(b) may be used as needed.) $

 Total Net Exemption $

4. **TOOLS OF TRADE, IMPLEMENTS, OR PROFESSIONAL BOOKS.** (NCGS 1C-1601(a)(5). Used by Debtor or Debtor's dependent. Total net value of all items claimed as exempt not to exceed $2,000.)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description** | **MarketValue** | **Lien Holder(s)** | **Amt. Lien** | **NetValue** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |

(a) Statutory allowance $ 2,000

(b) Amount from 1(b) above to be used in this paragraph.

 (A part or all of 1 (b) may be used as needed.) $

Total Net Exemption $

5. **PERSONAL PROPERTY USED FOR HOUSEHOLD OR PERSONAL PURPOSES NEEDED BY DEBTOR OR DEBTOR'S DEPENDENTS.** (NCGS 1C-1601(a)(4). Debtor's aggregate interest, not to exceed $5,000 in value for Debtor plus $1,000 for each dependent of Debtor, not to exceed $4,000 total for dependents.)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description** | **MarketValue** | **Lien Holder(s)** | **Amt. Lien** | **NetValue** |
| Clothing & Personal | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Kitchen Appliances | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Stove | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Refrigerator | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Freezer | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Washing Machine | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Dryer | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| China | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Silver | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Jewelry | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Living Room Furniture | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Den Furniture | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Bedroom Furniture | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Dining Room Furniture | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Lawn Furniture | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Television | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| ( ) Stereo ( ) Radio | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Musical Instruments | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| ( ) Piano ( ) Organ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Air Conditioner | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Paintings & Art | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Lawn Mower | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Yard Tools | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Crops | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Animals | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| Other ( ) | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |

 Total Net Value $

(a) Statutory allowance for Debtor $ 5,000

(b) Statutory allowance for Debtor's dependents: dependents

 at $1,000 each (not to exceed $4,000 total for dependents) $

(c) Amount from 1(b) above to be used in this paragraph.

 (A part or all of 1 (b) may be used as needed.) $

 Total Net Exemption $

6. **LIFE INSURANCE.** (NCGS 1C-1601(a)(6) and Article X, Section 5 of North Carolina Constitution.)

Name of Insurance Company Policy No.

Name of Insured Policy Date

Name of Beneficiary

7. **PROFESSIONALLY PRESCRIBED HEALTH AIDS (FOR DEBTOR OR DEBTOR'S DEPENDENTS).**

(NCGS 1C-1601(a)(7). No limit on value.)

Description:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

8. **DEBTOR'S RIGHT TO RECEIVE THE FOLLOWING COMPENSATION:** (NCGS 1C-1601(a)(8). No limit on number or amount.)

A. $ Compensation for personal injury, including compensation from private disability policies or

 annuities.

B. $ Compensation for death of a person upon whom Debtor was dependent for support.

9. **INDIVIDUAL RETIREMENT PLANS AS DEFINED IN THE INTERNAL REVENUE CODE AND ANY PLAN TREATED IN THE SAME MANNER AS AN INDIVIDUAL RETIREMENT PLAN UNDER THE INTERNAL REVENUE CODE** (NCGS 1C-1601(a)(9). No limit on number or amount.) **AND OTHER RETIREMENT FUNDS DEFINED IN 11 U.S.C. § 522(b)(3)(C).**

**Detailed Description**  **Value**

10. **COLLEGE SAVINGS PLANS QUALIFIED UNDER SECTION 529 OF THE INTERNAL REVENUE CODE.** (NCGS 1C-1601(a)(10). Total net value not to exceed $25,000 and may not include any funds placed in a college savings plan within the preceding 12 months, except to the extent any of the contributions were made in the ordinary course of Debtor’s financial affairs and were consistent with Debtor’s past pattern of contributions. This exemption applies only to the extent that the funds are for a child of Debtor and will actually be used for the child’s college or university expenses.)

**Detailed Description**  **Value**

11. **RETIREMENT BENEFITS UNDER A RETIREMENT PLAN OF OTHER STATE OR GOVERNMENTAL UNIT OF OTHER STATE, TO THE EXTENT THOSE BENEFITS ARE EXEMPT UNDER THE LAWS OF THAT STATE OR GOVERNMENTAL UNIT.** (NCGS 1C-1601(a)(11). No limit on amount.)

Description:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

12. **ALIMONY, SUPPORT, SEPARATE MAINTENANCE, AND CHILD SUPPORT PAYMENTS OR FUNDS THAT HAVE BEEN RECEIVED OR TO WHICH DEBTOR IS ENTITLED.** (NCGS 1C-1601(a)(12). No limit on amount to the extent such payments are reasonably necessary for the support of Debtor or a dependent of Debtor.)

Description:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

13. **ANY OTHER REAL OR PERSONAL PROPERTY WHICH DEBTOR DESIRES TO CLAIM AS EXEMPT THAT HAS NOT PREVIOUSLY BEEN CLAIMED ABOVE.** (NCGS 1C-1601(a)(2). The amount claimed may not exceed the remaining amount available under paragraph 1(b) which has not been used for other exemptions.)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Description** | **MarketValue** | **Lien Holder(s)** | **Amt. Lien** | **NetValue** | **Value Claimed as Exempt** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_ | \_\_\_\_\_\_\_ |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_ | \_\_\_\_\_\_\_ |

(a) Total Net Value of property claimed in paragraph 13. $

(b) Total amount available from paragraph 1(b). $

(c) Less amounts from paragraph 1(b) which were

 Used in the following paragraphs:

Paragraph 3(b) $

Paragraph 4(b) $

Paragraph 5(c) $

Net Balance Available from paragraph 1(b) $ Total Net Exemption $

1. **OTHER EXEMPTIONS CLAIMED UNDER THE LAWS OF THE STATE OF NORTH CAROLINA:**

Aid to the Aged, Disabled and Families with Dependent Children, NCGS 108A-36

Aid to the Blind, NCGS 111-18

Yearly Allowance for Surviving Spouse, NCGS 30-15

North Carolina Local Government Employees Retirement Benefits, NCGS 128-31

North Carolina Teachers and State Employees Retirement Benefits, NCGS 135-9

Firemen’s Relief Fund Pensions, NCGS 58-86-90

Workers Compensation Benefits, NCGS 97-21

Unemployment Benefits, so long as not commingled and except for debts

for necessities purchased while unemployed, NCGS 96-17

Group Insurance Proceeds, NCGS 58-58-165

Partnership Property, except on a claim against the partnership, NCGS 59-55

Wages of a Debtor Necessary for Support of Family, NCGS 1-362

Other\*

TOTAL VALUE OF PROPERTY CLAIMED AS EXEMPT $

1. **EXEMPTIONS CLAIMED UNDER NON-BANKRUPTCY FEDERAL LAW:**

Foreign Service Retirement and Disability Payments, 22 U.S.C. § 4060

Social Security Benefits, 42 U.S.C. § 407

Injury of Death Compensation Payments from War Risk Hazards, 42 U.S.C. § 1717

Wages of Master or Seamen, 46 U.S.C. § 11109

Civil Service Retirement Benefits, 5 U.S.C. § 8346

Longshoremen and Harbor Workers Compensation Act Death and Disability Benefits,

33 U.S.C. § 916

Railroad Retirement Act Annuities and Pensions 45 U.S.C. § 231m

Veterans’ Benefits, 38 U.S.C. § 5301

Special Pension Paid to Winners of Congressional Medal of Honor, 38 U.S.C. § 1562

Other\*

TOTAL VALUE OF PROPERTY CLAIMED AS EXEMPT $

1. **RECENT PURCHASES**

The exemptions provided in NCGS 1C-1601(a)(2), (3), (4), and (5) are inapplicable with respect to tangible personal property purchased by Debtor less than 90 days preceding the initiation of judgment collection proceedings or the filing of a petition for bankruptcy, unless the purchase of the property is directly traceable to the liquidation or conversion of property that may be exempt and no additional property was transferred into or used to acquire the replacement property.

List tangible personal property purchased by Debtor less than 90 days preceding the filing of the bankruptcy petition:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description** | **MarketValue** | **Lien Holder(s)** | **Amt. Lien** | **NetValue** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_ |  \_\_\_\_\_\_\_ |
|  |  |  |  |  |

**DATE:**

Debtor

\*If you choose “Other,” you must describe the statutory basis for the exemption. A non-exhaustive list of additional exemptions may be found on the Court’s website, <http://www.ncmb.uscourts.gov/>.