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Have You Been Sued?

A program of Tennessee Alliance for Legal Services

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Have You Been Sued? Protect Your Personal Stuff Before It's Too Late.

What is a Personal Property Exemption (PPE) List?

If a creditor takes a judgment against you in court, the creditor can take your personal stuff to pay the debt owed. You can protect up to \$10,000 in personal stuff from being taken by filing a personal property exemption list with the court clerk. A personal property exemption list is a list of cars, bank accounts, furniture, appliances, electronics, household goods, and other personal items that you want to protect from being taken by your creditor.

How do I fill out a PPE and file it?

Once you have the form, fill in the appropriate names and court at the top. This should match your summons. Next, you will list the personal stuff, cars, and accounts you want to protect and the value of that property. Wait to sign the document until you are in front of the Court Clerk or a notary public. When you have completed the form and signed it, file it with the Court Clerk in the court and county where the judgment was taken, Some courts charge a small filing fee.

You can download a PPE form [here](#) and a step-by-step guide [here](#).

When do I need to file a PPE?

Creditors can file to take your property once the judgment against you is final unless you have filed your PPE first. You should try to file your PPE before the judgment becomes final. In General Sessions Court, a judgment is final 10 days after the hearing. If you do not know when the judgment against you becomes final, ask the Court Clerk.

What personal property can I protect with a PPE?

You can protect up to \$10,000 worth of any personal property. This includes cars, trucks, ATVs, motor homes, and trailers not affixed to the land titled in your name or jointly with other people, furniture, appliances, electronics, household goods, antiques, collections, firearms, pets, and bank accounts held in your name or jointly with other people, furniture, appliances, electronics, household goods, antiques, collections, firearms, pets, and bank accounts held in your name or jointly with other people.

What personal property cannot be protected with a PPE?

You cannot protect real estate with a PPE. Some of the equity in your home is usually protected through the state's homestead exemption. You also cannot protect property that you used as security for the debt that is being collected or property that was purchased or maintained with fraudulently obtained funds.

Is there any property the creditor cannot take outside of what is on my PPE?

The creditor can never take:

- Your clothes
 - Family bible
 - Family pictures
 - Trunks
 - School books
 - Certain healthcare aides
 - Tools you use to earn a living, worth up to \$1,900
 - Social Security benefits
 - Veterans' benefits
 - Alimony and child support payments
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Do I need an attorney to file a PPE?

No, but every case is different. While you can complete this form and file it on your own, it may still be a good idea to talk to an attorney.

How do I determine what my personal property is worth for

my PPE?

A good place to start is by asking yourself what someone would be willing to pay for the item(s). If you own an item free and clear, you should list its value as what you could sell it for in used condition. If you still owe money on the item you want to protect, you should subtract what you own on the item from what you could sell the item for in used condition. The value of your bank account should be the most amount of money it could contain in a month before you pay bills.

What if my bank account only contains protected money?

Some money, like Social Security benefits, SSI, unemployment compensation, Veterans' benefits, and state and federal pensions, cannot be taken by your creditor. If this money is deposited into a bank account, you should tell your creditor that the bank account only contains protected money by including the account at the top of the first page of the PPE under the exempt account section. This is described further in the step-by-step guide. If the account also includes other money that is not protected, like wages from work, you should also list the account in the bank account section of the PPE. The value should be the amount of non-protected money in the account each month.

What if I get a new car or bank account after I file my PPE?

You need to file a new PPE to protect the new items, To file a new PPE, put all of the items that were listed on your original PPE on the new PPE plus any new items. Sign the new list in front of the court clerk or notary public, and file it in the court and county where the judgment was taken.

What if more than one judgment is taken against me?

If more than one judgment has been taken against you, you should file a separate PPE for each judgment.

What if my personal items are worth more than \$10,000?

You will have to pick the items that you want to protect. Do not list more than \$10,000 in items on your PPE. Any items not listed on the PE could be taken by your creditor.

Printed: April 11, 2021

<http://www.help4tn.org/senior-services/legal-information/consumer-law/personal-property-exemption>

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