

APPLICATION TO FILE SMALL CLAIM / COMMERCIAL CLAIM (updated for 01/23/17)

CORTLAND CITY COURT : COUNTY OF CORTLAND: STATE OF NEW YORK  
CITY COURT of Cortland : COUNTY OF CORTLAND  
25 Court Street  
Cortland, New York 13045  
Ph.: 607-218-3300

Index # SC/CC- - /CD

**FILING FEE: Cash, Money Order, Certified Bank Checks or Credit Card (Visa, MC or Discover)**  
**(No Personal or Business Checks accepted)**

**Type of Claim:** **Filing Fee:** **(Check one)**

Small Claim **\$15.00 - Claim of \$1,000 or less** \_\_\_\_\_  
(Individual suing individual or company) **\$20.00 - Claim exceeding \$1,000 to \$5,000** \_\_\_\_\_

Commercial Claim **\$25.00** \_\_\_\_\_  
**5.26 Electronic Certified Postage**  
**.46 First Class Mail**  
**\$30.72 total for one defendant. (Add \$5.58 for each additional deft)**

\_\_\_ Company suing company or individual  
\_\_\_ Consumer Transaction

(Required forms - Certificate of Authority, Certification on Filing Limits, Certification of Demand Letter sent)

Counterclaim **\$ 5.00 + \$ .46 postage (\$5.46)** \_\_\_\_\_

Date: \_\_\_\_\_

Name of Claimant (include all necessary parties): \_\_\_\_\_

Address (if commercial claim, give Principal Office Address): \_\_\_\_\_

Telephone no.: \_\_\_\_\_  
(Work) (Home)

Name of Defendant (include all necessary parties): \_\_\_\_\_  
(if a business -provide business name AND name of individual who owns/operates/manages business)

Address (Home or Business./If Business, the Place of Employment must be within the County - except for counterclaims): \_\_\_\_\_  
(Telephone no.)

Amount of Claim \$ \_\_\_\_\_ (Do **not** include filing fee)

Nature of Claim to include all pertinent information including brief description, dates, addresses, etc.

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

DATE: \_\_\_\_\_ SIGNATURE OF PERSON FILING CLAIM

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NEW YORK STATE UNIFIED COURT SYSTEM

## 6th JUDICIAL DISTRICT



- 6th JD Home
- Cortland County Home
- Cortland City Court**
- Directions
- Part Information
- Personnel
- Guidelines/Procedures
- Forms
- Cortland City Government

### Cortland City Court

#### Forms

- Application to File Small Claims/Commercial Claims
- Affidavit of Service
- Certification for Filing Commercial Claims
- Certificate of Authority for Commercial Claims
- Credit Card Authorization
- Demand Letter for Commercial Claims
- Demand Letter Certification for Commercial Claims
- DIY (Do-It-Yourself) Forms
- Release of Information and Record Search (coming soon!)
- Notice of Appeal
- Notice of Appearance
- Traffic Waiver
- Traffic Waiver
- Withdrawal Form for Small Claims/Commercial Claims

Documents in PDF format  
[Get Adobe Reader](#)

Browser window showing the Cortland City Court website. The address bar displays: <http://www.nycourts.gov/courts/6jd/cortland/cortlandcity/Commercial.shtml#forms>. The page title is "Cortland City Court".

**Commercial Claims**

**Commercial Claims / Consumer Transactions Jurisdictional Information and Definitions**

- [Who Can Use Commercial Claims/Consumer Transaction?](#)
- [What is a Consumer Transaction?](#)
- [Geographic Jurisdiction](#)
- [Monetary Jurisdiction](#)
- [Necessary Parties](#)
- [Required Forms in Commercial Claims](#)
- [Counterclaims](#)
- [How to File in the Cortland City Court.](#)
- [Withdrawing a Commercial/Small Claim](#)

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**Who Can Use Commercial Claims/Consumer Transaction?**

The Claimant must be a corporation, partnership, or association. A Certification of Authority (download in [Adobe Acrobat](#) or [HTML](#)) must be filed indicating the office/ authority of the claimant to settle or participate in the trial on behalf of the business. NO COLLECTION AGENCIES (Download application in [Adobe Acrobat](#)).

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**What is a Consumer Transaction?**

A Consumer Transaction is a transaction where the money, property or service that is the subject of the transaction is primarily for personal, family or household purposes.

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**Geographic Jurisdiction**

The Claimant must have a principle office in the State of New York. The Defendant must reside or have an office for the transaction of business or regular employment within the County.

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**Monetary Jurisdiction**

Up to \$5,000.00 (exclusive of interest and costs) - for money damages only

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http://www.nycourts.gov/courts/5jd/cortland/cortlandcity/Commercial.html#Forms

100% inside UCS.org: 6th Judicial Dis... Commercial Claims - Cortla... nycourts.gov

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**HTML** can be obtained from the Clerk of the City Court or on this web site.

**Demand Letter Certification** (required in Consumer Transaction cases only):

The Claimant **MUST** file with the Court a certification attesting that a Demand Letter has been sent to the Defendant not less than 10 days nor more than 180 days from the time of the filing of the action in Commercial Claims Court. The Certification Form (download in [Adobe Acrobat](#) or [HTML](#)) and a sample of a Demand Letter (download in [Adobe Acrobat](#) or [HTML](#)) can be obtained from the City Court Clerk's office or from this web site.

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**Counterclaims**

If you have been named as a defendant in a small claim/commercial claim/consumer transaction and have a claim against the claimant, you may bring a "counterclaim" as part of the lawsuit, for money only, up to \$5,000. You should file your own Small Claim/Commercial Claim application with the Court with the [filing fee](#) (Claims can NOT be submitted via the Internet). Click here for the application (download in [Adobe Acrobat](#) or [HTML](#)). You must inform the Court that you are filing a counterclaim and inform the Court of the case name and docket number of the case to which you are filing a counterclaim. You must be prepared to prove the counterclaim on the day you go to Court.

A counterclaim should be filed within 5 days of your receipt of the summons and notice of claim. However, if you file a counterclaim after the 5 days has elapsed, the claimant in the initial proceeding may request an adjournment of the hearing date. The Court must grant the adjournment request.

If you are a corporation, partnership or association filing a counterclaim, you must submit to the Court a Certification of Authority (download in [Adobe Acrobat](#) or [HTML](#)) which can be obtained from the City Court or on this web site.

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**How to File in the Cortland City Court**

Once you have completed the application (download in [Adobe Acrobat](#) for Small Claims/Commercial Claims and the **REQUIRED** forms (if any), you may submit your application to the Clerk of the Court located at City Hall, 25 Court Street, Cortland, NY with the appropriate filing fee (Claims can NOT be submitted via the Internet). The Clerk will provide you with a Court date at least 30 days from the date of filing for the hearing in this matter and will send a Summons with the hearing date and a copy of the Application to the opposing party.

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**Withdrawing a Commercial/Small Claim**

If you have filed a Small Claim/Commercial Claim with the City Court and the parties have resolved the matter prior to the Court hearing, you should advise the Court, in writing, immediately. The form for withdrawing a small claim/commercial claim is available on this web site (download in [Adobe](#)

http://www.nycourts.gov/courts/5jd/cortland/cortlandcity/appsmallclaim.pdf

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*this is on commercial claims pages*