



Category:  
Legal and Compliance

Responsible Office:  
[University Counsel](#)

**Procedure Title:**  
Small Claims of \$250.00 or Less

Document Number:  
6305

Effective Date:  
June 07, 2000

This procedure item applies to:  
State-Operated Campuses

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## Summary

This procedure governs the handling of small claims against the State University of New York (University) in the amount of \$250.00 or less.

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## Process

### By Claimant

1. The claimant shall complete the affidavit on Page one of the Form, Claims for \$250.00 or Less ("claim form," "form" or "claim and release form"). This affidavit should include sufficient facts to indicate that the damage was the direct result of an act or omission on the part of an officer or employee of the State of New York who was acting in the scope of his/her duties or where he/she omitted to perform a duty which was required of him/her. Where damages contain items which are lengthy or where a paid bill is available, this information should be a separate attachment to the form. When processing small claims for the cost of repairing damaged property, such as automobiles, two estimates for such repairs must be included.
2. The claimant must complete the reverse side of the form marked "Release" on all copies.
3. The "Claim" on the form must be subscribed and sworn to before a notary public and the "Release" on the form must be acknowledged before a notary public with all of the blank spaces completed on all copies.

### By Campus President or Designee

Note: Only for claims of \$250.00 or less, designees of the campus president duly appointed in accordance with guidelines issued by the Chancellor may undertake the following functions to be performed by the campus presidents.

1. After a thorough investigation has been made, execute the affidavit on the lower half of Page one of the claim form verifying the facts as stated by the claimant.
2. Enter the name of the campus on all copies.

3. Forward all copies to the office of the state comptroller.

The claim and release form for amounts of \$250.00 or less shall be completed in two (2) copies, each copy individually signed by the claimant and the campus president with one copy retained by the campus and one copy submitted to:

Chief Auditor of State Expenditures  
Office of the State Comptroller  
110 State Street  
Albany, New York 12236

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## Forms

There are no forms relevant to this procedure.

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## Related Procedures

[Small Claims \\$250.01 to \\$5K](#)

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## Other Related Information

[Small Claims](#)

The following links to FindLaw's [New York State Laws](#) are provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Court of Claims Act](#)

[NYS Court of Claims Act § 8](#) (State's Waiver of Immunity from Liability)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

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## Authority

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS State Finance Law §8\(12-a\) and \(12-b\)](#) (Duties of the NYS Comptroller relating to claims against the state)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

Chapter 370 of the Laws of 1999.

Chapter 542 of the Laws of 1990.

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## History

Memorandum to campus business officers from the vice chancellor for finance and business, dated March 3, 1992.

Letter to university counsel, from assistant attorney general dated November 12, 1991.

Memorandum to campus business officers from the vice chancellor for finance and business, dated April 1, 1991.

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Memorandum to presidents from the office of university counsel, dated January 28, 1983.

Letter of policy from office of attorney general, dated March 7, 1974.

Memorandum to business officers and campus presidents from the office of university counsel, dated January 23, 1969.

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## **Appendices**

There are no appendices relevant to this procedure.