



value of the property in question (\$180,000.00) exceeds \$57,487.50, which is the total of Respondent's judicial lien (\$5762.50), plus all other non-avoidable liens on the property (\$51,125.00) plus the maximum exemption amount (\$600.00), see 42 Pa. C.S.A. §8123(a), see Collier on Bankruptcy, 15<sup>th</sup> Ed. Rev. ¶522.11[3] at 522-85;<sup>2</sup> see also 11 U.S.C. §522(f)(2)(A), (B).<sup>3</sup>

Reading, PA

---

THOMAS M. TWARDOWSKI  
United States Bankruptcy Judge

---

against Debtors jointly.

2. As explained in Collier's on Bankruptcy,

the debtor's power to avoid liens depends on the lien impairing the exemption. Section 522(f) provides that the lien may be avoided 'to the extent that such lien impairs an exemption.' For example, the debtor might own property worth substantially more than the amount that can be claimed as exempt. If that property is subject to a judicial lien, and the value of the property exceeds the total of the judicial lien, all other liens on the property and the maximum exemption amount, then the judicial lien is not impairing the debtor's exemption and may not be avoided.

Collier on Bankruptcy, 15<sup>th</sup> Ed. Rev. ¶522.11[3] at 522-85.

3. Debtors mistakenly assume that they may claim \$128,220.00 in equity in the real property in question (which is the entire equity in the real property after the mortgage liens are subtracted from the fair market value of the real property) as exempt under the Pennsylvania exemption scheme. However, we find Debtors' assumption to be misplaced as it relates to the attempted avoidance of Respondent's judicial lien since Debtors may not rely upon Napotnik, 679 F.2d at 319-21, and the tenancy by the entirety argument to avoid Respondent's lien because Respondent holds a judgment against both Debtors jointly, see discussion in text of Order under paragraph (1), supra and note 1, supra. Rather, Debtors have chosen to utilize the Pennsylvania state exemptions, which permit a debtor to exempt real property to the value of \$300.00, see 42 Pa. C.S.A. §8123(a).