



# TRUSTEE'S EDUCATIONAL SEMINAR



## MINUTES

9:00 A.M. TO 12:00 P.M.  
May 28, 2015

NORTH BANK BLDG.  
432 N. SAGINAW ST. STE 300  
FLINT MI

|                   |  |
|-------------------|--|
| SEMINAR CALLED BY | Chapter 13 Trustee's Office-Carl L. Bekofske   |
| TYPE OF SEMINAR   | Trustee's Educational Seminar  |
| FACILITATOR       | Carl L. Bekofske, Chapter 13 Trustee   |
| MINUTES BY        | Karen Newman   |
| ATTENDEES         | Judge Opperman-via Skyped, Carl L. Bekofske, Stacy Davis, Toni Haynes, Juanita Massey, Eric Mulka, Beth Hudson, George Jacobs, Lisa Stevens, Lynn Oberhausen, Dareth Wilson, Susan Lackey, Torchio Feaster, Chelesia B., Benjamin Allyn, Peter Mooney, Natacha Kelly, Sarah Ellis, Kim Leach, Erin Fischetti, Barbie Stangler, Melissa DiGiamberdine, Debra Mudge, John Topping, Ann Lerche, Lander McLoyd, John Folts, Kayleigh Folts, Juston Young, Jack Tubbs, Lashanda Lewis, Bill Johnson, Dawn Larsen, Kris Ennis, Steve Robinson, Sherry Beasinger, Stephanie Foust, Diane Smith, Melissa Caouette, Leo Foley, Karen Newman |

### Agenda (Exhibit 1):

1. Introduction: Carl Bekofske & Judge Opperman
2. Plan & Schedule Preparation: Stacy Davis & Melissa Digiamberdine
3. Completing the §341 Hearing the First Time: Melissa Caouette & Leo Foley
4. Streamlining Confirmation Hearings: Stephanie Foust
5. ACHs, EFTs and Problems to Avoid with Pay Order: Dawn Larsen
6. Motions to Dismiss: Steve Robinson
7. Avoiding Objections in Debtor Plan Modifications: Melissa Caouette
8. Resolving Trustee Plan Modifications: Leo Foley
9. Your Client Passes Away: Melissa Caouette
10. Employment of Non-Bankruptcy Counsel: Melissa Caouette
11. Loan Modifications: What the Trustee Needs to Approve: Leo Foley
12. Your Client Needs a Car: What does the Trustee Need to approve? Leo Foley
13. Getting Ready for Discharge: Kris Ennis
14. Odds and Ends: Leo Foley

#### 1. INTRODUCTION: Carl Bekofske & Judge Opperman

Carl thanked everyone for attending the Trustee's Seminar and gave a great thank you to Judge Opperman for skyping in with his busy schedule. The Trustee's office is so appreciative of Judge Opperman in all he does and his fairness to all, such as, creditors, debtors, debtor's attorneys and the Chapter 13 Trustee. We are truly blessed. The attorneys in attendance are the cream of the crop. These attorneys are the mentors for other attorneys. Reach out to these mentoring attorneys who have had successful loan modification go through, or who have reopened a case, such as Tim MacDonald. If you are having difficulties, hiccups, then reach out to the Trustee's office for assistance. We will gladly help you out. The Trustee's website is a great resource. Please check it out for updated documents, court dates, educational classes, etc.

Judge Opperman, via skype, also wanted to thank everyone on attending the Trustee's Seminar to improve on continuing education. This is a great way to improve issues. Nine years ago there were procedural issues, but Flint's Division is very efficient and congratulates (note: skype system roaming, not audible). What can we do to continue improving these issues?

Claims (note: skype system roaming, not audible); changes to the Local Rules by December 2015; Cases are being re-opened-make sure your motion is clear with enforced dates (note: skype system roaming, not audible). Attorney Tim MacDonald stated he had to recently re-open a case and put in more than what was necessary, and was the Judge ok with this (note: skype system roaming, not audible.)

## 2. PLAN & SCHEDULE PREPARATION: Stacy Davis & Melissa Digiambardine

Stacy and Melissa played a Family Feud type game called, "Confirmation Feud!" The two teams were #1: George Jacobs, Barbie Stangler & Stephanie Foust and #2: Juanita Massey, Eric Mulka & Diane Smith.

THE QUESTION WAS: "LIST THE TOP 10 REASONS WHY YOUR CASE MIGHT NOT GET CONFIRMED"

The top 10 are as follows:

- a) No payment posted or no Payment Order filed
- b) No recorded mortgage submitted to the Trustee
- c) Assets were not listed in both the Plan and the Schedules
- d) Taxes are not pro-rated in the Schedules
- e) Delinquent debts were treated as a direct payment by the Debtors
- f) Bonus income not accounted for in Schedule I
- g) Plan does not provide step payments when something is paid off during the Plan term.
- h) Amortization schedule was not provided
- i) DBA was not listed on the Petition
- j) Debt in the Schedules, who does it belong to? Is it the husband's or wife's?

## 3. COMPLETING THE §341 HEARING THE FIRST TIME: Melissa Caouette & Leo Foley

- a) Effective use of your Assistant/Paralegal; there are certain duties they can assist with:
  - Opening the mail
  - Reviewing the ECF mail
  - Objections to confirmation – Sending letters to debtors requesting documents that the Trustee has asked for and keeping a diary for the receipt of them
- b) There are many delays with documentation not getting to the Trustee's office in a timely manner. Rule 2003-2 ([Exhibit 2](#)) details documents that the debtors should have available at the Meeting of Creditors. Please review the list. The Trustee needs the 2 most recent years of filed tax returns and 60 days for pre-petition payment advices seven days prior to the Meeting of Creditors. Please email them to [clbfinancials@flint13.com](mailto:clbfinancials@flint13.com).
- c) If your client cannot appear at the Meeting of Creditors, you should forward your client's Power of Attorney to the Trustee for review. The Trustee will review the POA to see if it specifically addresses the current bankruptcy case. You may also wish to file an Ex-Parte Motion with the Court to Excuse the Debtor's appearance and allow another to testify on the Debtor's behalf if the debtor is unable to appear due to mental or physical issues.

## 4. STREAMLING CONFIRMATION HEARINGS: Stephanie Foust

- a) See confirmation status sheet checklist ([Exhibit 3](#))
- b) Dates to remember ([Exhibit 4](#))
- c) What to send where ([Exhibit 5](#))
- d) Need titles with current liens: e-mail them to [clbfinancials@flint13.com](mailto:clbfinancials@flint13.com); **Do NOT send to the individual case paralegal. If the paralegal is out of the office, no one in the office would have access to their personal email address. This central email address gives all case paralegals access.**
- e) Tickle your files for the upcoming dates
  - The Trustee needs §341 documents 7 days prior to hearing!!
  - The Trustee needs confirmation documents 6 days prior to hearing, before 4:30 pm!!
  - Submit OCP and Stipulation & Order Adjourning to [confirmations@flint13.com](mailto:confirmations@flint13.com) and make sure to include the adjourned date (see Trustee's [website](#) for list of dates)!

## 5. ACHS, EFTS AND PROBLEMS TO AVOID WITH PAY ORDERS: Dawn Larsen

- a) ACH: ([Exhibit 6](#))
  - Check out the Trustee's website on the [Forms/Matrix](#) tab for NEW pay orders. **They have changed!**
  - Make sure you fill out the ACH Form in its entirety and don't forget to attach a voided check to the bottom of the form.

- You DO NOT need to send in a new ACH Form UNLESS banking information has changed or the debtor is making a change to their withdrawal date(s).
  - Prepare and send your Stipulation & Order for ACH (this is a new form) to the individual case paralegal for their approval. Please either e-mail, fax or mail it.
  - Once you receive the Trustee's approval, file the same with Court.
  - The Debtor will receive a letter from the Trustee's office as to the exact ACH start date.
  - Any questions, contact Dawn Larsen.
- b) EFT: **(Exhibit 7)**
- This is an easy way to get your attorney fees!
  - Funds are usually deposited by the 5<sup>th</sup> of every month.
  - You can view your voucher through the Chapter 13 Network or you can have it e-mailed to you. See the [Forms/Matrix](#) tab on the Trustee's website for the EFT Form.
- c) Problems to Avoid with Payment Orders:
- Current forms are not being used.
    - i. The Trustee's office will implement an employer deduction when a debtor defaults on an ACH, providing that the ACH Order has employer information included.
  - Proper Approval for Filing Not Received.
    - i. Employer Deduction Payment Orders: FIRST one doesn't need Trustee's approval, but MUST be approved by the Judge. ANY AMENDED order thereafter must have BOTH Trustee approval AND Court approval.
    - ii. ACH Orders: ALL MUST have both Trustee approval AND Court approval.

## 6. MOTIONS TO DISMISS: Steve Robinson **(Exhibit 8)**

- a) Dismissal process after 3 months of delinquencies.
 

**\*\*Attorney Topping asked if a 2 month notice could be sent out to alert the attorneys of the default. Trustee response was there is a Default letter mailed when a Debtor has defaulted on their ACH.**
- b) Email is sent out seeking your concurrence pursuant to LBR 9014-1(g). In the stipulation to Dismiss for failure to Remit Plan Payments. If you should not concur, the Trustee will file a Motion to Dismiss.
- c) A notice of hearing is set once a response/reply/objection has been filed with Court to Trustee's Motion to Dismiss for either Plan Payments or Plan Expiration.
- d) Reasons for delinquency in payments: loss of employment, hours cut, loss of life, loss of contact, debtor moved, etc.
- e) Reasons for plan expiration: 60 months limitation has been reached and still months ahead before completion, the percent to pay unsecured has not been met, the base has not been met.
- f) Resolution: plan modification, hardship discharge, voluntary dismissal, convert, amend payment order, etc.

## 7. AVOIDING OBJECTIONS IN DEBTOR PLAN MODIFICATIONS: Melissa Caouette

- a) When reducing Debtor's plan payments or excusing missed plan payments, Trustee will need to know:
  - Why
  - When
  - Verification
  - Can the arrearage sought to be excused be cured-over the remaining length of the plan
  - Need a good cause
  - MUST also file AMENDED I and J when the Amended plan is filed
  - Need 3 recent pay stubs submitted to the Trustee's Office
  - Need to make sure Federal Income tax returns have been submitted to the Trustee
  - Is the case feasible?
  - Need Liquidation Analysis and work sheet- best interest
- b) When excusing the Debtor's bonus/income tax refund vs Schedule I
- c) When Schedule J has increase in budget items – the Trustee will require proof!
- d) When excusing Tax Refunds-pro rate now on Schedule I.
- e) See Plan Mod checklist and Post-Confirmation Plan Modification forms **(Exhibit 9)**.

**8. RESOLVING TRUSTEE PLAN MODIFICATIONS:** Leo Foley

- a) Leo Foley handles all Trustee's Plan Modifications.
- b) Was the Trustee's Modified Plan filed because of feasibility?
- c) Was the Trustee's Modified Plan filed because of an increase in income?
- d) If you have objections, e-mail Leo first to see if resolution can be reached.
- e) If issues cannot be resolved, THEN file objections.
- f) Amended schedules I and J & make sure to provide proof of the increases to the Trustee.
- g) Provide proof of income.
- h) DO NOT FILE YOUR OWN PLAN MODIFICATION IN RESPONSE!

**9. YOUR CLIENT PASSES AWAY:** Melissa Caouette

- a) Should you dismiss the case or can the bankruptcy proceed?
- b) Are there any family members to contact?
- c) Can the case be discharged (1328b) by Hardship Discharge?
- d) When a death certificate is submitted to the Court, make sure the social security number has been redacted!
- e) Can a Plan Modification be filed to reduce the dividend and the monthly payments?

**10. EMPLOYMENT OF NON-BANKRUPTCY COUNSEL:** Melissa Caouette

- a) Need to file an Application to Employ (under 11 USC 327) **(Exhibit 10)**.
- b) How will the non-bankruptcy counsel get paid?
- c) Is the non-bankruptcy counsel billing at an hourly rate?
- d) Counsel will need to keep record of their billable hours, then file a Fee Application
- e) What will happen to the proceeds if the non-bankruptcy counsel is successful?

**11. LOAN MODIFICATIONS: WHAT THE TRUSTEE NEEDS TO APPROVE?:** Leo Foley

- a) Loan Modifications have been "positive."
- b) Go to the [Forms/Matrix](#) tab of the Trustee's website for loan modification forms.
- c) If having problems with the loan modification, contact Leo for assistance.
- d) Who is to pay the trial period of the loan? Make sure this is included in your order!!
- e) Make sure you contact any local attorney involved with the mortgage company
- f) Provide a copy of the Loan Modification Letter.
- g) Review the Proof of Claim.
- h) If there is not attorney for the loan modification, then you MUST file a Plan Modification.
- i) See HAMP informational packet **(Exhibit 11)**.

**12. YOUR CLIENT NEEDS A CAR; WHAT DOES THE TRUSTEE NEED TO APPROVE?:** Leo Foley

- a) Go to the [Forms/Matrix](#) tab of the Trustee's website for forms re: incurring debt.
- b) The Trustee will need the following:
  - A good reason (the Judge will need to know this also)
  - A payment of \$500 or less monthly
  - Recent tax returns if not already submitted to the Trustee's office
  - Verification of the terms of purchase provided by the lender/seller
  - Amended Schedules I and J to show feasibility
  - Debtor must have good payment history

**13. GETTING READY FOR DISCHARGE:** Kris Ennis

- a) At completion, Trustee's office send letter to debtor **(Exhibit 12)**.
- b) A month before the case is completed, Trustee checks:
  - Have all required tax returns been submitted?
  - Have all attorney fees been administrated properly?

- Have all claims have been administrated properly?
  - Has the DSO been filed?
  - Are there any outstanding pleadings?
  - Are there any outstanding objections?
- c) The final Report is filed after all checks have cleared.

**14. Miscellaneous Topics:**

- a) Harris vs US Supreme Court dated May 18, 2015: Issue: When a Chapter 13 debtor initially filing under Chapter 13 exercises his right to convert to Chapter 7, who is entitled to post-petition wages still in the hands of the Chapter 13 Trustee? Should the Trustee distribute the funds to creditors or must the Trustee remit the funds to the debtor?
- The Supreme Court held: A debtor who converts to a chapter 7 is entitled to the return of any post-petition wages not yet distributed by the Chapter 13 Trustee.
- b) Future educational classes for the Debtors: June 20<sup>th</sup>, September 26<sup>th</sup> and November 14<sup>th</sup>. Check the Trustee's webpage for additional classes, such as, How to Re-Establish and Improve your Credit, So, your Plan is Confirmed, What is Next, Budgeting, Financial Planning and Savings Strategies, Identity Theft and Ask the Trustee.

## **Trustee's Educational Seminar**

**May 28, 2015**

### **Agenda:**

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Carl Bekofske & Judge Opperman
2. Plan & Schedule Preparation  
Stacy Davis & Melissa Digiamberdine
3. Completing the §341 Hearing the First Time  
Melissa Caouette & Leo Foley

### **Break**

4. Streamlining Confirmation Hearings  
Stephanie Foust
5. ACHs, EFTs and Problems to Avoid with Pay Orders  
Dawn Larsen
6. Motions to Dismiss  
Steve Robinson
7. Avoiding Objections in Debtor Plan Modifications  
Melissa Caouette
8. Resolving Trustee Plan Modifications  
Leo Foley

### **Break**

9. Your Client Passes Away  
Melissa Caouette
10. Employment of Non-Bankruptcy Counsel  
Melissa Caouette
11. Loan Modifications: What the Trustee Needs to Approve?  
Leo Foley
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Leo Foley
13. Getting Ready For Discharge  
Kris Ennis

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**Rule 2003-2 Debtor's Documents at the Meeting of Creditors**

In a case under chapter 7, 12 or 13, or in an individual case under chapter 11, to the extent they are in the debtor's possession or are readily available, the debtor shall have available at the meeting of creditors, neatly arranged, all of the following for one year prepetition:

- (a) Documents to support all entries on schedule I, other than previously provided payment advices and tax returns;
- (b) Documents to support all entries on schedule J, including canceled checks, paid bills or other proof of expenses;
- (c) Certificates of title (originals if available, otherwise copies) for currently owned titled assets, including vehicles, boats and mobile homes (regardless of when acquired);
- (d) A current statement from each secured creditor stating the amount owed;
- (e) Originals of bank books, check registers, other financial accounts, bonds, stock certificates, and bank, brokerage and credit card statements;
- (f) Copies of leases, mortgages, deeds and land contracts (These documents shall be provided for the time period six years prepetition.);
- (g) Copies of life insurance policies either owned by the debtor or insuring the debtor's life;
- (h) Current property tax statements;
- (i) Asset appraisals;
- (j) Keys to non-exempt buildings and vehicles;
- (k) Divorce judgments and property settlement agreements;
- (l) Casualty insurance policies;
- (m) Documents establishing the scheduled amounts of joint debts, if the debtor claims an entireties exemption;
- (n) The name, address and telephone number of each holder of a Domestic Support Obligation; and
- (o) Any other specific document requested by the trustee relating to the schedules or statement of financial affairs, if requested in writing at least 7 days before the first meeting of creditors.

# CONFIRMATION STATUS SHEET

Exhibit 3

Debtor(s) \_\_\_\_\_ Case # \_\_\_\_\_ Hrg Date \_\_\_\_\_

Debtor Attorney \_\_\_\_\_ How many previous Hrg Dates \_\_\_\_\_

Creditor Attorney \_\_\_\_\_ Representing: \_\_\_\_\_ Approved OCP \_\_\_\_\_

Creditor Attorney \_\_\_\_\_ Representing: \_\_\_\_\_ Approved OCP \_\_\_\_\_

Creditor Attorney \_\_\_\_\_ Representing: \_\_\_\_\_ Approved OCP \_\_\_\_\_

AP Status Pending \_\_\_\_\_ N/A \_\_\_\_\_ Not Filed \_\_\_\_\_ Resolved \_\_\_\_\_ Dismissed \_\_\_\_\_

|                                       |   |  |
|---------------------------------------|---|--|
| OCP emailed?<br>Yes _____ or No _____ | Statement filed?<br>Yes _____ or No _____ | Stip/Order Adj?<br>Yes _____ or No _____ |
|---------------------------------------|---|--|

Paid \$ \_\_\_\_\_ of \$ \_\_\_\_\_ due \_\_\_\_\_ % # of pmts missed \_\_\_\_\_

Delinquency \$ \_\_\_\_\_

| Order Adj entered | Conditions: | Were conditions met? |
|-------------------|-------------|----------------------|
|                   |             |                      |
|                   |             |                      |

| TRUSTEE OBJECTIONS | RESLVD? | HOW? |
|--------------------|---------|------|
|                    |         |      |
|                    |         |      |
|                    |         |      |
|                    |         |      |
|                    |         |      |
|                    |         |      |
|                    |         |      |
|                    |         |      |

Proposed: Pmts \$ \_\_\_\_\_ /mo

Length \_\_\_\_\_ /mo unsecured \_\_\_\_\_ % or base amount

Runs: Length \_\_\_\_\_ Needs \$ \_\_\_\_\_ /mo to complete timely.

Why not feasible? \_\_\_\_\_

PARALEGAL NOTES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Confirmed \_\_\_\_\_ Dismissed Oral MTD \_\_\_\_\_ Vol Dismiss by Dr or Dr Atty \_\_\_\_\_

Adjourned Date: \_\_\_\_\_ Rolling Conf for \_\_\_\_\_

Convert \_\_\_\_\_ Contested \_\_\_\_\_

Hearing Officer: MAC. KE. I.F. TS. CA. SF. CLR



**CONDITIONS:**

| ADDITIONAL TRUSTEE OBJECTIONS | RESLVD? | HOW? |
|-------------------------------|---------|------|
|                               |         |      |
|                               |         |      |
|                               |         |      |
|                               |         |      |

**ADDITIONAL NOTES:**

**CONTESTED NOTES/ISSUES:**

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## **DATES TO REMEMBER**

### **7 days PRIOR to the First Meeting of Creditors:**

- The Trustee's office must have all documents needed for the hearing, otherwise the hearing may be continued. The documents are to be sent to:

[clbfinancials@flint13.com](mailto:clbfinancials@flint13.com)

### **6 days PRIOR to the Confirmation Hearing:**

- The Confirmation Hearing Statement must be filed with the Court by 4:30 PM. The Trustee's office receives a copy once it has been filed with Court.
- A Proposed OCP and/or a Stipulation and Order Adjourning are due to:  
[confirmations@flint13.com](mailto:confirmations@flint13.com). Upcoming confirmation hearing dates can be found on the Trustee's website.

### **On Fridays prior to Confirmation Hearing dates:**

- The case paralegals no longer have possession of the files. You will need to contact the hearing officer assigned to your cases.

### clbfinancials@flint13.com

- Pay Advices
- Tax Returns
- Recorded Mortgages
- Titles (with Liens)
- Bank Statements
- Verification of Expenses
- Amortization Schedules
- Copy of Driver's License
- Copy of Social Security Card
- Vehicle Contracts
- Most Documents Needed for §341 Hearings

### confirmations@flint13.com

- Original OCP
- Subsequent OCP(s)
- Stipulation/Order to Adjourn
- Subsequent Stipulation/Order(s) to Adjourn

**\*\* All documents are to be sent in WORD format, NOT PDF!!**

If an objection to confirmation is filed, the Stipulation to Adjourn and/or the OCP MUST include the objecting party's approval.

**\*\* Please do not cc: the case paralegal with the OCP's \*\***

### **Guide to a successful ACH**

**Step 1 – Obtain a ACH (authorization for preauthorized variable withdrawals) form. This can be accomplished by going to the Flint 13 website under the Attorney tab, choose forms and scroll down to the PDF section and locate ACH debit form. You may also request original copies from our office.**

**Step 2 – Have your client fill out form in its entirety and attach a voided check to the bottom of the form.**

**Note: Debtors now have several options for the ACH withdrawal. They have the choice of having a withdrawal one time a month on either the 5<sup>th</sup> or 22<sup>nd</sup> or they can select to have the payment withdrawn semi-monthly. They may also choose semi-monthly from two separate bank accounts.**

**Step 3 – Forward form to the Chapter 13 office. This can be done by mail, fax or email to [dlarsen@flint13.com](mailto:dlarsen@flint13.com). The sooner the forms get turned in, the quicker the debtor can be set up for the ACH to start.**

**Step 4 – Prepare a stipulation and order for the individual case managers to approve. This can also be done by mail, fax or email. Once approval is received, file the order with the court.**

**Note: If all paperwork is received at least 10 days prior to their requested withdrawal date, they will be set up for the current month.**

**Step 5 – Debtor will receive a confirmation letter letting them know that their ACH is active and will begin on the next chosen withdrawal date. Remind debtors if the ACH is not set up in time they have to make a payment within the first 30 days of filing.**

**If at any time during the life of the plan a debtor has a payment change, it is important to file an Amended Pay Order unless an order confirming the plan or an order modifying the plan is filed. Their payment amount will not automatically change based on a CNO to a modified plan.**

**Attached is an updated ACH Debit Form. You may make copies or scan to your saved documents for future use. If you have any question regarding the ACH process, please contact Dawn Larsen at 810-238-4675 ext. 227.**

**CARL L. BEKOFKSKE**  
**STANDING CHAPTER 13 TRUSTEE**  
400 N. Saginaw St. Ste. 331  
Flint, MI 48502-2045  
Telephone (810) 238-4675  
Fax (810) 238-4712

## Authorization for Preauthorized Variable Withdrawals (ACH Debits)

I hereby authorize THE CHAPTER 13 TRUSTEE AT Flint, MICHIGAN to make withdrawals from time to time from the account identified below at \_\_\_\_\_  
PHONE # of Financial Institution \_\_\_\_\_ (Depository Financial Institution, hereinafter referred to as DFI) and authorized the DFI to charge such withdrawals to my listed account.

Debtor's Name: \_\_\_\_\_ Phone # \_\_\_\_\_  
Case No.: \_\_\_\_\_ Attorney Name/Phone# \_\_\_\_\_

Source of Deposits: (Check One)

- ☐ Payment to be taken on the 5th of the month. \$ \_\_\_\_\_  
OR  
☐ Payment to be taken on the 22nd of the month \$ \_\_\_\_\_

To have Semimonthly withdrawals check both boxes

I understand that the **EXACT** sum must be available for withdrawal. If the exact sum is not available, **NONE** of the funds available will be transmitted to the Trustee. In addition, I understand that if funds are not available in the exact amount a non-sufficient funds charge will be charged against my account.

If the purpose for withdrawal is restricted in any manner, such restriction is stated below. Adjust entries to correct errors are also authorized. It is agreed that these withdrawals and adjustments may be made electronically and under the Rules of the Michigan Automated Clearing House Association. This authorization will remain in effect until written notice of termination is given to the Trustee. I acknowledge receipt of a filed copy of this Authorization.

| Name of DFI | DFI's Routing & Transit No. | Account No. to Debit | Type of Account                   |
|-------------|-----------------------------|----------------------|-----------------------------------|
|             |                             |                      | <input type="checkbox"/> CHECKING |
|             |                             |                      | <input type="checkbox"/> SAVINGS  |

| Name of Authorizing Party (Please Print) | Address | City | State | Zip Code |
|--|---------|------|-------|----------|
|  |         |      |       |          |

| Signature of Authorizing Party | Date | Individual S.S.N. |
|--------------------------------|------|-------------------|
|                                |      |                   |

Amount Per Month \_\_\_\_\_  
\$ \_\_\_\_\_ or amount as amended per order of Bankruptcy Court

**Please Attach Voided Check To This Authorization.**  
**Please Contact Your Bank Or Credit Union To Determine If Additional**  
**Numbers Have To Be Added To Your Account Number To Allow For The Electronic Withdrawal.**

CARL L. BEKOFKSKE  
STANDING CHAPTER 13 TRUSTEE

Exhibit 7

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400 N Saginaw St.  
Suite 331  
Flint, Michigan 48502  
Telephone: (810) 238-4675  
Fax: (810) 238-4712  
[www.flint13.com](http://www.flint13.com)

May 27, 2015

Attorneys  
Chapter 13 Cases

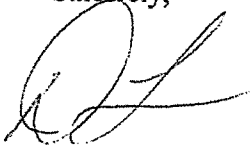
Re: EFT

Dear Attorneys:

Our office is offering a payment option called Electronic Funds Transfer (EFT). This option will allow attorneys to be paid by automatic deposit to their business bank account. This is an efficient way for you to receive your payments from our office, as once the funds are deposited they can be used immediately unlike having a paper check which usually has a hold placed on it. It is easy to get started; I have enclosed an application form for your convenience. Funds are usually deposited by the 5<sup>th</sup> of every month and verification of what cases were paid on can be viewed online through the Chapter 13 Network or you may have a voucher emailed to you. Please submit completed EFT form by mail, fax or email to [dlarsen@flint13.com](mailto:dlarsen@flint13.com).

If you have any questions or would like to know more about this payment option, please contact me at (810) 238-4675 ext. 227.

Sincerely,



Dawn Larsen  
Accounting Administrator

**CARL L. BEKOFKSKE  
STANDING CHAPTER 13 TRUSTEE  
400 N Saginaw St. Suite 331  
Flint, Michigan 48502  
Telephone: (810) 238-4675  
Fax: (810) 238-4712**

**REQUEST AND AUTHORIZATION FOR ELECTRONIC DISBURSEMENTS**

**Name:** \_\_\_\_\_

**Trade name if different** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_

**Phone Number** \_\_\_\_\_  
\_\_\_\_\_

**Your Bank Name:** \_\_\_\_\_

**Bank Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EFT Coordinator – (YOUR Bank Contact)**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Chapter 13 Use Only**

**Bank Verified:** \_\_\_\_\_

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

**Account Information:**

**Routing Transit Number:** \_\_\_\_\_

**Account Name:** \_\_\_\_\_

**Account Number:** \_\_\_\_\_  
\_\_\_\_\_

Carl L. Bekofske, Chapter 13 Standing Trustee, hereafter called Trustee, is hereby authorized to initiate credit and debit entries (creditor will be notified prior to debit entries) to the account indicated above. This authority is to remain in full force and effect until Trustee has received WRITTEN notification from me or other authorized representative for me of the termination in such time and such manner as to afford Trustee a reasonable opportunity to act on it. This authorization will terminate if Trustee discontinues the Electronic Creditor Disbursement Program.

\_\_\_\_\_  
**Authorizing Signature**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Chapter 13 Network Login: User Name/Password( for viewable vouchers\*)**

\_\_\_\_\_  
**Email Address**

**Chapter 13 Use Only**

**Posted:** \_\_\_\_\_

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

\*If you do not already have a 13 network login or if you want a second 13 network login, please follow these instructions: go to [www.flint13.com](http://www.flint13.com) – click on 13network tab – then “Online access Agreement” and fill out accordingly. Once this is completed, enter your login on this form, this is the 13 network login that will be used to view vouchers. 13Network Questions email: [cwhite@flint13.com](mailto:cwhite@flint13.com) EFT Questions: [dlarsen@flint13.com](mailto:dlarsen@flint13.com)

STEVE ROBINSON

Dismissal Dork  
Dismissal Dufus  
Dismissal Dweeb

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Initial Contact

□ Email is sent out:

- The Chapter 13 Trustee seeks your concurrence pursuant to **LBR 9014-1(g)** in the Stipulation to Dismiss the above referenced case for failure to Remit Plan Payments. Should you not provide your concurrence the Trustee shall file a Motion to Dismiss.

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Set for a Hearing

□ Notice of Hearing is set out after a Response/Reply/Objection has been filed to the Trustee's Motion to Dismiss:

- Dismissal for Plan Payments
- Dismissal for Plan Expiration

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## Plan Payments

- ❑ Loss of employment
- ❑ Hours cut
- ❑ ACH bounces
- ❑ Loss of life
- ❑ Loss of contact
- ❑ Debtor moves
- ❑ Etc...

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## Plan Expiration

- ❑ 60 month limit has been reached and there is still more to go.
  - The unsecured treatment still has to distribute to the unsecureds.
  - The Base has not been met, or the Base has been adjusted to account for feasibility.

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## Resolutions:

- ❑ Plan Modification
- ❑ Hardship Discharge
- ❑ Voluntary Dismissal
- ❑ Conversion to a Chapter 7
- ❑ Amended Payment Order
  - Outcome usually depends on what is going on with the debtor(s).

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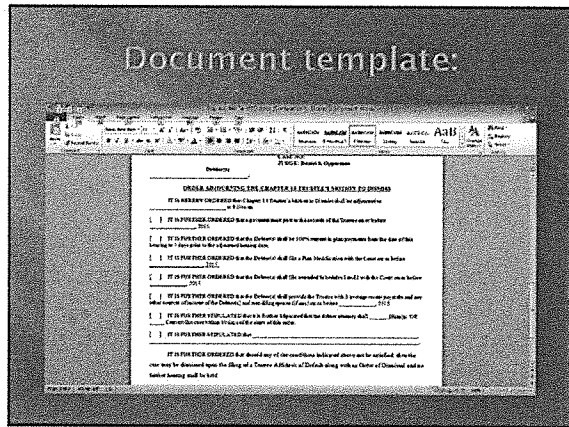
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# PLAN MOD CHECKLIST

Exhibit 9

Case #: \_\_\_\_\_

Case Name: \_\_\_\_\_

Mod Plan Dated: \_\_\_\_\_

Date of last post-confirmation modified Plan: \_\_\_\_\_

# of previous post-confirmation modifications: \_\_\_\_\_

Amount of delinquency excused: \$ \_\_\_\_\_

Current delinquency: \$ \_\_\_\_\_

Length remaining: \_\_\_\_\_

Plan payment reduced? \_\_\_\_\_ Reason explained?

Amended Schedules I & J provided?

Paystubs provided?

Do they match amended Schedule I?

Tax return reviewed? \_\_\_\_\_ Does income match?

Does Debtor appear to receive bonus or profit sharing income?

Does Schedule I include a new retirement savings contribution or an increase in the retirement savings?

Review Schedule J for added/increased/excessive expenses

Does Plan surrender residence? Does the plan modification instruct the Trustee to cease payments on the secured debt? Is rent expense anticipated? Verification provided? Change of address?

If committed, have all tax returns/refunds been received?

Does plan attempt to excuse a tax refund? Tax return provided? Reason & verification provided?

(Compare the year of the income tax refund excusal with that years income tax return- for example if the dr is excusing the 2012 income tax refund \$5k and the wages on the 2012 income tax return exceeds the gross income on the Schedule I which was in effect for that year – object)

Has the Debtor previously excused tax refunds by modified Plan?

Does modification omit tax refunds and pro-rate on Schedule I instead?

LA and worksheet provided?

Does Plan indicate effect on creditors?

Review language in OCP and OCMP, if any (step payments, etc.)

Is case feasible? Amount needed to restore feasibility \$ \_\_\_\_\_

Is case above median? Is 60 month term retained?

Is Best interest test met, if any (is there a minimum amount that must be paid to unsecured creditors per the Liquidation analysis per the confirmed plan?)

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re: \_\_\_\_\_

Case No.: \_\_\_\_\_  
Chapter 13  
Judge Daniel S. Opperman

\_\_\_\_\_  
Debtor(s) /

**NOTICE OF PROPOSED POST-CONFIRMATION PLAN MODIFICATION**

NOW COMES \_\_\_\_\_ Debtor(s) herein, by and through their attorney, \_\_\_\_\_ and proposes the following post-confirmation plan modifications:

{Sample language}

- 1) To excuse the 20xx tax refund in the amount of \_\_\_\_\_ for the following reasons: \_\_\_\_\_. (See Exhibit 1: attach verification of receipts, estimates, etc. which justify the excusal)
- 2) To excuse missed plan payments up to the date of this plan modification for the reason that:
- 3) To decrease the Chapter 13 plan payments to \$\_\_\_\_\_ per \_\_\_\_\_ pursuant to a reduction in available disposable income as evidenced by the amended Schedules I/J filed concurrently with this modification. (See Exhibit 2: paystubs of the debtors)
- 4) To increase the Chapter 13 plan payments to \$\_\_\_\_\_ per \_\_\_\_\_ to allow for timely completion.
- 5) To reduce the unsecured base amount to \$\_\_\_\_\_ to allow for timely completion as there is less available disposable income as evidenced by the amended Schedules I/J filed concurrently with this modification. (See Exhibit 2: paystubs of the debtors)
- 6) To establish the dividend to Class 8 general unsecured creditors at no less than \_\_\_\_\_ of their duly filed claim. }
- 7) That this plan modification does adversely affect the unsecured creditors for the reason that the unsecured creditors will not receive the 20\_\_\_\_\_ income tax refunds they would have received had the refunds not been excused.

In all other respects, the Plan and Order Confirming Plan as last modified remain in full force and effect.

Liquidation Analysis: (use the original LQA from the Confirmed plan & if using the original Worksheet then attach a plan calculation to show the modified plan is feasible)

| Type of Property     | Fair Market Value | Liens | Debtor's Share of Equity | Exempt Amount | Non-Exempt Amount |
|----------------------|-------------------|-------|--------------------------|---------------|-------------------|
| Personal Residence   |                   |       |                          |               |                   |
| Vehicles             |                   |       |                          |               |                   |
| HHG/Personal Effects |                   |       |                          |               |                   |
| Jewelry              |                   |       |                          |               |                   |

Amount available up liquidation

\$ \_\_\_\_\_

Less administrative expenses and costs

\$ \_\_\_\_\_

Less priority claims

\$ \_\_\_\_\_

Amount Available in Chapter 7

\$ \_\_\_\_\_

The Modifications to the Debtor(s) Chapter 13 plan will have following impact on creditors:

- a) Class 2 Administrative Claims: \_\_\_\_\_.
- b) Class 3 Secured Claims to be stripped from Collateral and Treated as Unsecured Claims to be paid by the Trustee: \_\_\_\_\_.
- c) Class 4.1 Continuing Claims: \_\_\_\_\_.
- d) Class 4.2 Pre-Petition Arrearages: \_\_\_\_\_.
- e) Class 5.1 Secured Creditors to be paid Equal Monthly Payments: \_\_\_\_\_.
- f) Class 5.2 Secured Creditors not to be paid in Equal Monthly Payments: \_\_\_\_\_.
- g) Class 6 Executory Contracts and/or Unexpired Leases: \_\_\_\_\_.
- h) Class 7 Priority Unsecured Claims: \_\_\_\_\_.
- i) Class 8 Special Unsecured Claims: \_\_\_\_\_.
- j) Class 9 General Unsecured Claims: \_\_\_\_\_.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Post-Confirmation Plan Modification, or if you want the court to consider your views on the modification, within TWENTY-ONE (21) days from the date of service of this modification, you or your attorney must:

1. File with the court a written response or an answer, explaining your position at:<sup>1</sup>

**United States Bankruptcy Court**  
226 W. Second Street  
Flint, MI 48502

If you mail your response to the court for filing, you must mail it early enough so the Court will receive it on or before the Twenty First (21<sup>st</sup>) day from the date of service of this modification.

You must also mail a copy to:

{Proponent's name, address and telephone number}  
Chapter 13 Trustee, 400 N. Saginaw St., Ste. 331, Flint MI 48502

2. If a timely objection is filed, the court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection. The modification shall become effective upon the proponent filing a certification that no timely objection was filed.**

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

\_\_\_\_\_  
Proponent's Name

<sup>1</sup> Response or answer must comply with F. R. Civ. P. 8(b), (c) and (e)

Address

ATTACH YOUR WORKSHEET

.....

.....

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN THE MATTER OF:

Case No.  
Chapter 13  
Hon. Daniel S. Opperman

Debtor(s)

\_\_\_\_\_ /

CERTIFICATE OF SERVICE

I hereby certify that on \_\_\_\_\_, I electronically filed the Notice of Post-Confirmation Plan Modification with the Clerk of the Court using ECF system; which will send notification to the following:

The following parties were served via First Class Mail at the address below by depositing same in a United States Postal Box with the lawful amount of posting affixed thereto:

/s/ \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE:

Debtor(s)  
\_\_\_\_\_ /

Case No.  
Chapter 13  
Judge Daniel S. Opperman

**CERTIFICATION OF NO OBJECTION TO POST-CONFIRMATION PLAN MODIFICATION**

\_\_\_\_\_, states that he is the attorney of record for the within Debtors and that a copy of the Notice of Post Confirmation Plan Modification has been served which proposed:

- 1) To excuse the 20xx tax refund in the amount of \$ \_\_\_\_\_.
- 2) To reduce the unsecured base amount to \$ \_\_\_\_\_.
- 3) To excuse the missed plan payments up to the date of this plan modification.
- 4) To decrease the Chapter 13 plan payments to \$ \_\_\_\_\_ per \_\_\_\_.
- 5) To increase the Chapter 13 plan payments to \$ \_\_\_\_\_ per \_\_\_\_.
- 6) To establish the dividend to Class 8 general unsecured creditors at no less than \_\_\_\_\_ of their duly filed claims.
- 7) That this plan modification does adversely affect the unsecured creditors for the reason that the unsecured creditors will not receive the 20 \_\_\_\_\_ income tax refund that they would have received had the refunds not been excused.

That more than TWENTY-ONE (21) days have elapsed since that service and that (s)he has received neither oral or written objections to the modification from any interested party. Pursuant to L.B.R. 3015-2(b)(E.D.M.) the Post-Confirmation Plan Modification becomes effective when the Certification of No Objection is filed with the Court.

In all other respects, the Plan and Order Confirming Plan as last modified remain in full force and effect.

Dated:

\_\_\_\_\_  
Attorney for Debtor



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN THE MATTER OF:

Case No.:  
Chapter 13  
Judge Daniel S. Opperman

Debtor(s)

\_\_\_\_\_ /

CERTIFICATE OF SERVICE

I hereby certify that on \_\_\_\_\_, I electronically filed the Certificate of No Objection to the Post Confirmation Plan Modification with the Clerk of the Court using ECF system; which will send notification to the following:

The following parties were served via First Class Mail at the address below by depositing same in a United States Postal Box with the lawful amount of posting affixed thereto:

/s/ \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - FLINT

Exhibit 10

IN RE:

CHAPTER 13  
CASE NO.  
JUDGE

Debtor(s)  
\_\_\_\_\_/

**APPLICATION FOR ORDER AUTHORIZING DEBTORS  
CONTINUED EMPLOYMENT OF ATTORNEY FOR  
NON-BANKRUPTCY LEGAL MATTER AND PAYMENT OF LEGAL FEES AND COSTS**

TO: U.S. BANKRUPTCY JUDGE; U.S. TRUSTEE; CHAPTER 13 TRUSTEE; ALL CREDITORS; AND ANY OTHER INTERESTED PARTIES:

Debtor(s) herein applies for an Order authorizing the continued employment of an attorney for legal services in connection with a non-bankruptcy legal matter and payment of associated legal services from any recovery prior to distribution through the Chapter 13 Plan. Debtor respectfully states:

1. Debtor(s) filed for Chapter 13 relief on \_\_\_\_\_.

2. The debtor(s) wish(es) to retain:

\_\_\_\_\_ in connection with a  
\_\_\_\_\_ claim of action, Case No. \_\_\_\_\_  
in the \_\_\_\_\_ Court against \_\_\_\_\_. The retainer agreement is  
attached as Exhibit B.

3. The current status of the legal matter is:

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

4. Compensation promised and agreed to: *(check all applicable boxes)*

- ☐ contingent fee basis at \_\_\_\_\_% of any recovery upon final judgment or settlement;
- ☐ reimbursement for actual disbursements and expenses incurred;
- ☐ flat rate of \$ \_\_\_\_\_;
- ☐ hourly rate of \$ \_\_\_\_\_ per hour, with an anticipated \_\_\_\_\_ hours of service, and counsel for the non-bankruptcy matter shall file a fee application.
- ☐ other: *(explain in detail)*: \_\_\_\_\_.

5. A Statement of Disinterestedness is attached as Exhibit C.

**WHEREFORE**, Debtor(s) request this Honorable Court enter an order (in the form attached hereto as Exhibit "A") authorizing continued employment by debtor(s) of \_\_\_\_\_ for a non-bankruptcy legal matter, and authorizing payment of legal services associated therewith, in accordance with the retainer agreement attached hereto as Exhibit B.

Dated: \_\_\_\_\_

Debtor(s) Bankruptcy Attorney

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - FLINT

IN RE:

Debtor(s)

CHAPTER 13  
CASE NO.  
JUDGE

**ORDER AUTHORIZING CONTINUED EMPLOYMENT OF  
ATTORNEY IN NON-BANKRUPTCY LEGAL MATTER AND  
PAYMENT OF LEGAL FEES AND COSTS**

This matter came on for hearing on debtor(s) application for authorization to continue employment of an attorney in a non-bankruptcy legal matter and payment of legal fees and costs, filed in accordance with LBR 9014-1 (E.D.M.), the application having been served and a Notice and Opportunity having been provided in accordance with the Local Rule, and the requisite time for objections having passed, and based upon the records of the Court herein the Court determines that the relief requested is warranted, and the Court being otherwise sufficiently advised in the premises;

**IT IS HEREBY ORDERED** that the debtor(s) are authorized to continue employment of \_\_\_\_\_ in connection with a non-bankruptcy legal matter;

**IT IS FURTHER ORDERED** that payment of legal fees and costs in accordance with the retainer agreement is authorized;

**IT IS FURTHER ORDERED** that payment of legal fees and costs may be made from any recovery in the legal matter;

**IT IS FURTHER ORDERED** that the proceeds of the legal matter, after payment of legal fees and costs authorized in this Order, shall be paid to the Chapter 13 Trustee as additional funding of debtor(s) Chapter 13 Plan.

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - FLINT

IN RE:

CHAPTER 13  
CASE NO.  
JUDGE

Debtor(s)

\_\_\_\_\_ /

**STATEMENT OF DISINTERESTEDNESS**

I, \_\_\_\_\_, declare:

I am a member of the law firm of \_\_\_\_\_

2. In compliance with 11 U.S.C. 327(a), neither the law firm nor I hold an interest or represent an interest adverse to this bankruptcy estate, and we are disinterested persons/entities, as defined in 11 U.S.C. 101(14).

3. In compliance with Bankruptcy Rule 2014(a), neither the law firm nor I have any connections with the debtor(s) creditors or any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee.

4. I acknowledge that payment of fees, costs or other compensation for services rendered in the legal matter for which retention is sought is subject to prior approval of the Bankruptcy Court, and that all remaining proceeds after payment of Bankruptcy Court approved fees and expenses shall be remitted to the Chapter 13 Trustee unless the Bankruptcy Court orders otherwise.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated:

By: \_\_\_\_\_

Non- Bankruptcy Attorney



MAKING HOME AFFORDABLE.gov

### The Making Home Affordable Program Helps Homeowners in Bankruptcy

The Making Home Affordable Program is a critical part of the government's effort to stabilize the housing market and help struggling homeowners get relief and avoid foreclosure. The Program includes opportunities for homeowners in bankruptcy to modify their mortgage to make their payments more affordable through the Home Affordable Modification Program (HAMP).

Homeowners whose monthly mortgage payment exceeds 31 percent of their verified gross (pre-tax) income may apply for a HAMP modification before or after filing bankruptcy. To qualify for HAMP, a homeowner must:

- Own a one- to four-unit home that is their principal residence;
- Have received their mortgage on or before January 1, 2009;
- Have a mortgage payment (including taxes, insurance, and homeowners' association dues) that is more than 31 percent of their gross (pre-tax) monthly income;
- Owe an amount that is less than or equal to \$729,750 on their first mortgage for a one-unit property (there are higher limits for two- to four-unit properties); and
- Have a documented financial hardship.

To apply for HAMP, homeowners must submit an Initial Package to their mortgage servicer, which includes:

- A complete Request for Modification and Affidavit (RMA).\*
- A complete Tax Authorization Form (IRS Form 4506T-EZ).\*
- Proof of Income.\*

These forms and a Proof of Income checklist are available on the Making Home Affordable Web site -- [www.MakingHomeAffordable.gov](http://www.MakingHomeAffordable.gov). Homeowners may also obtain copies of these forms from their bankruptcy trustee.

Mortgage servicers will determine whether homeowners qualify for a modification under HAMP. Homeowners who qualify must complete a trial period of three or four months to demonstrate that they will be able to make reduced payments on time before their mortgage will be permanently modified.

Homeowners should discuss HAMP with their bankruptcy attorney before making an application for a HAMP loan modification.

Please see [www.MakingHomeAffordable.gov](http://www.MakingHomeAffordable.gov) for additional details or call the Homeowner's HOPE™ Hotline at 888-995-HOPE (4673) to speak with a free HUD-certified counselor in English or Spanish.

#### Beware of Foreclosure Rescue Scams – Help is Free!

- Beware of anyone who asks you to pay a fee in exchange for a counseling service or modification of a delinquent loan.
- Scam artists often target homeowners who are struggling to meet their mortgage commitment or are anxious to sell their home. Recognize and avoid common scams.
- Assistance from a HUD-approved counselor is FREE.
- Beware of people who pressure you to sign papers immediately, or who try to convince you that they can "save" your home if you sign or transfer over the deed to your house.
- Do not sign over the deed to your property to any organization or individual unless you are working directly with your mortgage company to forgive your debt.
- Never make a mortgage payment to anyone other than your mortgage company without the mortgage company's approval.

## **Making Home Affordable Program and Home Affordable Modification Program Frequently Asked Questions for Bankruptcy Filers**

### **Q1. What do these FAQs cover?**

These FAQs provide information on the Home Affordable Modification Program (HAMP), which is one option under the government's Making Home Affordable Program. These FAQs are designed primarily for homeowners who have filed bankruptcy or are considering filing bankruptcy. For detailed information on HAMP and other options under the Making Home Affordable Program, including an extensive list of Frequently Asked Questions, please visit [www.MakingHomeAffordable.gov](http://www.MakingHomeAffordable.gov).

### **Q2. What is the Making Home Affordable Program, and what is HAMP?**

The Making Home Affordable Program is a critical part of the government's effort to stabilize the housing market and help struggling homeowners get relief and avoid foreclosure. HAMP helps homeowners who are struggling to keep their loans current or who are already behind on their mortgage payments. By providing mortgage loan servicers with financial incentives to modify existing first lien mortgages, the Treasury hopes to help homeowners avoid foreclosure regardless of who owns or guarantees the mortgage.

The Making Home Affordable Program includes the following programs:

- Home Affordable Refinance Program (HARP)
- Home Affordable Modification Program (HAMP)
  - Principal Reduction Alternative (PRA)
  - Home Affordable Unemployment Program (UP)
- Second Lien Modification Program (2MP)
- Home Affordable Foreclosure Alternatives (HAFA)
- Options for government-insured mortgages: FHA-HAMP, VA-HAMP, USDA-HAMP

For more information about these programs please visit [www.MakingHomeAffordable.gov](http://www.MakingHomeAffordable.gov).

### **Q3. Who is eligible for a loan modification under HAMP?**

To be eligible for a loan modification under HAMP, you must:

- Be the owner-occupant of a one- to four-unit home.

- Have an unpaid principal mortgage balance that is equal to or less than:  
 One unit: \$729,750  
 Two units: \$934,200  
 Three units: \$1,129,250  
 Four units: \$1,403,400
- Have a first lien mortgage that was originated on or before January 1, 2009.
- Have a monthly mortgage payment (including taxes, insurance, and homeowners' association dues) greater than 31 percent of your monthly gross (pre-tax) income.
- Have a mortgage payment that is not affordable due to a financial hardship that can be documented.

These are the basic eligibility requirements. After you apply for HAMP, your mortgage servicer will be able to tell you if you qualify.

**Q4. Can I be considered for a HAMP modification if I am in bankruptcy?**

Yes, if you are in an active (open) chapter 7 or chapter 13 bankruptcy case, you must be considered for a HAMP modification if you, your attorney, or the bankruptcy trustee submits a request to the servicer. With your permission, the bankruptcy trustee may contact the servicer to request a HAMP modification.

**Q5. How do I apply for a modification under HAMP?**

To apply for a modification under HAMP, you must submit an "Initial Package" to your mortgage servicer that includes:

- A complete Request for Modification and Affidavit (RMA).
  - This form captures information on your income, expenses, subordinate liens on the property, and liquid assets.
  - It also includes a Hardship Affidavit and fraud notice.
- A complete Tax Authorization Form (IRS Form 4506T-EZ).
  - This form gives permission for your servicer to request a copy of the most recent tax return you have filed with the IRS.
- Proof of Income.
  - A checklist explaining what documents can be used as evidence of income is available at <http://www.MakingHomeAffordable.gov/checklist.shtml>.

If you are in an active (open) chapter 7 or chapter 13 bankruptcy case, some servicers may accept copies of your bankruptcy schedules and tax returns (if returns are required to be filed) in place of the RMA and Form 4506T-EZ. You should consult with your

servicer to clarify the documents required. If your bankruptcy schedules are more than 90 days old when the mortgage servicer receives them, you must provide updated proof of income to determine HAMP eligibility.

The mortgage servicer's phone number and email address is on your monthly mortgage bill or coupon book. Please be patient yet persistent. Your servicer may be handling a large volume of inquiries about the program and it may take some time before your servicer is able to process your application.

For more details on the required information and forms, visit the "Request a Modification" section of [www.MakingHomeAffordable.gov](http://www.MakingHomeAffordable.gov). You may also obtain copies of these forms from your bankruptcy trustee.

If you would like to speak to a housing counselor approved by the Department of Housing and Urban Development (HUD), call the Homeowner's HOPE™ Hotline at 888-995-HOPE (4673). HUD-approved housing counselors can help you evaluate your income and expenses, understand your options, and apply to your servicer for HAMP. This counseling is FREE.

If you have already missed one or more mortgage payments and have not yet spoken to your mortgage servicer, call your servicer immediately.

**Q6: How much will a HAMP modification cost me?**

If you qualify for HAMP, you will never be required to pay a modification fee or past-due late fees. If there are costs associated with the modification, such as payment of back taxes, your mortgage servicer will give you the option of adding them to the amount you owe on your mortgage or paying some or all of the expenses in advance. Paying these expenses in advance will reduce your new monthly payment and save interest costs over the life of your loan.

If you would like assistance from a housing counseling agency approved by HUD or are referred to a HUD-approved counselor as a condition of the modification, you will not be charged a counseling fee. Beware of any organization that attempts to charge an up-front fee for housing counseling or modification of a delinquent loan, or any organization that claims to guarantee success.



**Q7. How will the HAMP modification affect my loan?**

Your mortgage servicer may offer various options to you, including:

- Reducing your interest rate to as low as 2 percent.
- Extending the term of your loan up to 40 years.
- Deferring a portion of the principal payment to a balloon payment at the end of the loan term.
- Forgiving a portion of the principal.

Before you agree to a HAMP modification, consult with your attorney for information about the affect of the modification.

**Q8. Do I have to go through a trial period for a HAMP modification?**

Generally, if you are eligible for HAMP, your mortgage servicer will put you on a three-month trial plan to demonstrate your ability to make timely payments at the new monthly payment level. If you successfully make all required payments during the trial period and the income and expense information you provided is determined to be accurate, your servicer will execute an official modification agreement. You will be required to sign the modification agreement and other documents and attest that all of the information you provided to your servicer was true and accurate. Misrepresenting any required information is a violation of Federal law and has serious legal consequences.

At the discretion of the mortgage servicer, if you are in an active (open) chapter 13 bankruptcy case and you are determined to be eligible for HAMP, you might not have to complete a trial period plan. For more information about waiver of the trial period, consult with your attorney or, if you do not have an attorney, consult with the bankruptcy trustee.

**Q9. What if my home is scheduled for a foreclosure sale?**

Contact your mortgage servicer immediately and ask to be considered for HAMP. Servicers participating in the HAMP program are not allowed to proceed with a foreclosure sale while you are being evaluated for HAMP. In order to conduct the HAMP evaluation, your servicer must receive all the required documents prior to seven business days before the scheduled foreclosure sale date. You may also contact a HUD-approved housing counselor for help by calling 888-995-HOPE (4673).

**Q10. Will I be able to get a modification if I am in a HAMP trial period plan and subsequently file bankruptcy?**

Yes, if you are in a HAMP trial period plan and subsequently file bankruptcy, you may not be denied a HAMP modification on the basis of the bankruptcy filing. The mortgage servicer must work with you or your attorney to obtain any required court and/or trustee approvals. The servicer should extend the trial period plan as necessary to accommodate delays in obtaining court approvals or receiving your trial period payments when they are made to a trustee. However, servicers are not required to extend the trial period beyond two months, resulting in a maximum five-month trial period. If the trial period is extended, you shall make a trial period payment for each month of the trial period, including any extension month.

**Q11. What happens in chapter 13 bankruptcy if I'm in a trial period plan under HAMP?**

If you are in an active (open) chapter 13 bankruptcy case and, after filing bankruptcy, you made payments as required by a HAMP trial period plan, the mortgage servicer may not do any of the following: (1) object to confirmation of your chapter 13 plan, (2) move for relief from the automatic bankruptcy stay, or (3) move for dismissal of your chapter 13 case on the ground that you paid only the amounts due under the trial period plan.

**Q12. Am I eligible for HAMP if I have received a chapter 7 bankruptcy discharge?**

Yes, even if you have received a chapter 7 bankruptcy discharge, you are eligible for HAMP. If you did not reaffirm your mortgage debt, the following language must be inserted in the Home Affordable Modification Agreement:

"I was discharged in a chapter 7 bankruptcy proceeding subsequent to the execution of the Loan Documents. Based on this representation, Lender agrees that I will not have personal liability on the debt pursuant to this Agreement."

## PROOF OF INCOME CHECKLIST

Your mortgage servicer needs the documents listed below to verify the income of each borrower. You can find the correct mailing address or fax number to submit your documents on the Contact Your Mortgage Servicer page.

For each borrower who receives a salary or hourly wages:

- Copy of your two most recent pay stubs that show year-to-date earnings.

For each borrower who is self-employed:

- Most recent quarterly or year-to-date profit/loss statement.

For each borrower who has income such as social security, disability or death benefits, pension, adoption assistance, public assistance, or unemployment:

- Copy of benefits statement or letter from the provider that states the amount, frequency and duration of the benefit, or
- Two most recent bank statements showing receipt of such payment.

For each borrower who is relying on alimony or child support as qualifying income\*:

- Copy of divorce or other court decree; or separation agreement or other written agreement filed with the court that states the amount and period of time over which it will be received, or
- Two most recent bank statement showing receipt of such payment.

\* You are not required to disclose Child Support, Alimony or Separation Maintenance income, unless you choose to have it considered by your servicer.

For borrowers who are current on their mortgage payments:

- Copies of the most recently filed and signed federal tax return with all schedules, including Schedule E—Supplemental Income and Loss.

If you have other types of income, cannot locate the required documents, or have questions about the paperwork required, please call 1-888-995 HOPE and ask for MHA HELP.

# Making Home Affordable Program Request For Modification and Affidavit (RMA)



REQUEST FOR MODIFICATION AND AFFIDAVIT (RMA) page 1

COMPLETE ALL THREE PAGES OF THIS FORM

Loan I.D. Number \_\_\_\_\_ Servicer \_\_\_\_\_

| BORROWER                           |               | CO-BORROWER                        |               |
|------------------------------------|---------------|------------------------------------|---------------|
| Borrower's name                    |               | Co-borrower's name                 |               |
| Social Security number             | Date of birth | Social Security number             | Date of birth |
| Home phone number with area code   |               | Home phone number with area code   |               |
| Cell or work number with area code |               | Cell or work number with area code |               |

|                     |  |  |
|---------------------|--|--|
| I want to:          | <input type="checkbox"/> Keep the Property | <input type="checkbox"/> Sell the Property                               |
| The property is my: | <input type="checkbox"/> Primary Residence | <input type="checkbox"/> Second Home <input type="checkbox"/> Investment |
| The property is:    | <input type="checkbox"/> Owner Occupied    | <input type="checkbox"/> Renter Occupied <input type="checkbox"/> Vacant |

|  |                |
|--|----------------|
| Mailing address  |                |
| Property address (if same as mailing address, just write same) | E-mail address |

|   |  |
|---|--|
| <p>Is the property listed for sale? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Have you received an offer on the property? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Date of offer _____ Amount of offer \$ _____</p> <p>Agent's Name: _____</p> <p>Agent's Phone Number: _____</p> <p>For Sale by Owner? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | <p>Have you contacted a credit-counseling agency for help <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please complete the following:</p> <p>Counselor's Name: _____</p> <p>Agency Name: _____</p> <p>Counselor's Phone Number: _____</p> <p>Counselor's E-mail: _____</p>  |
| <p>Who pays the real estate tax bill on your property?</p> <p><input type="checkbox"/> I do <input type="checkbox"/> Lender does <input type="checkbox"/> Paid by condo or HOA</p> <p>Are the taxes current? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Condominium or HOA Fees <input type="checkbox"/> Yes <input type="checkbox"/> No \$ _____</p> <p>Paid to: _____</p>                  | <p>Who pays the hazard insurance premium for your property?</p> <p><input type="checkbox"/> I do <input type="checkbox"/> Lender does <input type="checkbox"/> Paid by Condo or HOA</p> <p>Is the policy current? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Name of Insurance Co.: _____</p> <p>Insurance Co. Tel #: _____</p> |

|   |  |                    |
|---|--|--------------------|
| Have you filed for bankruptcy? <input type="checkbox"/> Yes <input type="checkbox"/> No       | If yes: <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 13 | Filing Date: _____ |
| Has your bankruptcy been discharged? <input type="checkbox"/> Yes <input type="checkbox"/> No | Bankruptcy case number _____   |                    |

| Additional Liens/Mortgages or Judgments on this property: |         |                |             |
|---|---------|----------------|-------------|
| Lien Holder's Name/Servicer                               | Balance | Contact Number | Loan Number |
|   |         |                |             |
|   |         |                |             |

| HARDSHIP AFFIDAVIT  |  |
|---|--|
| <p>I (We) am/are requesting review under the Making Home Affordable program.</p> <p>I am having difficulty making my monthly payment because of financial difficulties created by (check all that apply):</p>             |  |
| <input type="checkbox"/> My household income has been reduced. For example: unemployment, underemployment, reduced pay or hours, decline in business earnings, death, disability or divorce of a borrower or co-borrower. | <input type="checkbox"/> My monthly debt payments are excessive and I am overextended with my creditors. Debt includes credit cards, home equity or other debt.                    |
| <input type="checkbox"/> My expenses have increased. For example: monthly mortgage payment reset, high medical or health care costs, uninsured losses, increased utilities or property taxes.                             | <input type="checkbox"/> My cash reserves, including all liquid assets, are insufficient to maintain my current mortgage payment and cover basic living expenses at the same time. |
| <input type="checkbox"/> Other: _____   |  |
| <p>Explanation (continue on back of page 3 if necessary): _____</p> <p>_____</p>  |  |

## INCOME/EXPENSES FOR HOUSEHOLD

Number of People in Household:

| Monthly Household Income  |    | Monthly Household Expenses/Debt                                      |    | Household Assets   |    |
|---|----|--|----|--|----|
| Monthly Gross Wages   | \$ | First Mortgage Payment   | \$ | Checking Account(s)  | \$ |
| Overtime  | \$ | Second Mortgage Payment  | \$ | Checking Account(s)  | \$ |
| Child Support / Alimony / Separation <sup>2</sup>                 | \$ | Insurance  | \$ | Savings/ Money Market  | \$ |
| Social Security/SSDI  | \$ | Property Taxes   | \$ | CDs  | \$ |
| Other monthly income from pensions, annuities or retirement plans | \$ | Credit Cards / Installment Loan(s) (total minimum payment per month) | \$ | Stocks / Bonds   | \$ |
| Tips, commissions, bonus and self-employed income                 | \$ | Alimony, child support payments                                      | \$ | Other Cash on Hand   | \$ |
| Rents Received  | \$ | Net Rental Expenses  | \$ | Other Real Estate (estimated value)  | \$ |
| Unemployment Income   | \$ | HOA/Condo Fees/Property Maintenance                                  | \$ | Other _____  | \$ |
| Food Stamps/Welfare   | \$ | Car Payments   | \$ | Other _____  | \$ |
| Other (investment income, royalties, interest, dividends etc.)    | \$ | Other _____  | \$ | Do not include the value of life insurance or retirement plans when calculating assets (401k, pension funds, annuities, IRAs, Keogh plans, etc.) |    |
| <b>Total (Gross Income)</b>                                       | \$ | <b>Total Debt/Expenses</b>   | \$ | <b>Total Assets</b>  | \$ |

## INCOME MUST BE DOCUMENTED

Include combined income and expenses from the borrower and co-borrower, if any. If you include income and expenses from a household member who is not a borrower, please specify using the back of this form if necessary.

You are not required to disclose Child Support, Alimony or Separation Maintenance Income, unless you choose to have it considered by your servicer.

## INFORMATION FOR GOVERNMENT MONITORING PURPOSES

The following information is requested by the federal government in order to monitor compliance with federal statutes that prohibit discrimination in housing. You are not required to furnish this information, but are encouraged to do so. The law provides that a lender or servicer may not discriminate either on the basis of this information, or on whether you choose to furnish it. If you furnish the information, please provide both ethnicity and race. For race, you may check more than one designation. If you do not furnish ethnicity, race, or sex, the lender or servicer is required to ignore the information on the basis of visual observation or surname if you have made this request for a loan modification in person. If you do not wish to furnish the information, please check the box below.

|  |  |  |  |
|--|--|--|--|
| <b>BORROWER</b> <input type="checkbox"/> I do not wish to furnish this information   |  | <b>CO-BORROWER</b> <input type="checkbox"/> I do not wish to furnish this information  |  |
| <b>Ethnicity:</b> <input type="checkbox"/> Hispanic or Latino<br><input type="checkbox"/> Not Hispanic or Latino   |  | <b>Ethnicity:</b> <input type="checkbox"/> Hispanic or Latino<br><input type="checkbox"/> Not Hispanic or Latino   |  |
| <b>Race:</b> <input type="checkbox"/> American Indian or Alaska Native<br><input type="checkbox"/> Asian<br><input type="checkbox"/> Black or African American<br><input type="checkbox"/> Native Hawaiian or Other Pacific Islander<br><input type="checkbox"/> White |  | <b>Race:</b> <input type="checkbox"/> American Indian or Alaska Native<br><input type="checkbox"/> Asian<br><input type="checkbox"/> Black or African American<br><input type="checkbox"/> Native Hawaiian or Other Pacific Islander<br><input type="checkbox"/> White |  |
| <b>Sex:</b> <input type="checkbox"/> Female<br><input type="checkbox"/> Male   |  | <b>Sex:</b> <input type="checkbox"/> Female<br><input type="checkbox"/> Male   |  |

## To be completed by interviewer

|   |  |  |
|---|--|--|
| This request was taken by:<br><input type="checkbox"/> Face-to-face interview<br><input type="checkbox"/> Mail<br><input type="checkbox"/> Telephone<br><input type="checkbox"/> Internet | Interviewer's Name (print or type) & ID Number | Name/Address of Interviewer's Employer |
|   | Interviewer's Signature      Date              |  |
|   | Interviewer's Phone Number (include area code) |  |

## ACKNOWLEDGEMENT AND AGREEMENT

In making this request for consideration under the Making Home Affordable Program, I certify under penalty of perjury:

1. That all of the information in this document is truthful and the event(s) identified on page 1 is/are the reason that I need to request a modification of the terms of my mortgage loan, short sale or deed-in-lieu of foreclosure.
2. I understand that the Servicer, the U.S. Department of the Treasury, or their agents may investigate the accuracy of my statements and may require me to provide supporting documentation. I also understand that knowingly submitting false information may violate Federal law.
3. I understand the Servicer will pull a current credit report on all borrowers obligated on the Note.
4. I understand that if I have intentionally defaulted on my existing mortgage, engaged in fraud or misrepresented any fact(s) in connection with this document, the Servicer may cancel any Agreement under Making Home Affordable and may pursue foreclosure on my home.
5. That: my property is owner-occupied; I intend to reside in this property for the next twelve months; I have not received a condemnation notice; and there has been no change in the ownership of the Property since I signed the documents for the mortgage that I want to modify.
6. I am willing to provide all requested documents and to respond to all Servicer questions in a timely manner.
7. I understand that the Servicer will use the information in this document to evaluate my eligibility for a loan modification or short sale or deed-in-lieu of foreclosure, but the Servicer is not obligated to offer me assistance based solely on the statements in this document.
8. I am willing to commit to credit counseling if it is determined that my financial hardship is related to excessive debt.
9. I understand that the Servicer will collect and record personal information, including, but not limited to, my name, address, telephone number, social security number, credit score, income, payment history, government monitoring information, and information about account balances and activity. I understand and consent to the disclosure of my personal information and the terms of any Making Home Affordable Agreement by Servicer to (a) the U.S. Department of the Treasury, (b) Fannie Mae and Freddie Mac in connection with their responsibilities under the Homeowner Affordability and Stability Plan; (c) any investor, insurer, guarantor or servicer that owns, insures, guarantees or services my first lien or subordinate lien (if applicable) mortgage loan(s); (d) companies that perform support services in conjunction with Making Home Affordable; and (e) any HUD-certified housing counselor.

Borrower Signature

Date

Co-Borrower Signature

Date

## HOMEOWNER'S HOTLINE

If you have questions about this document or the modification process, please call your servicer.

If you have questions about the program that your servicer cannot answer or need further counseling, you can call the Homeowner's HOPE™ Hotline at 1-888-995-HOPE (4673). The Hotline can help with questions about the program and offers free HUD-certified counseling services in English and Spanish.

**888-995-HOPE**

Homeowner's HOPE™ Hotline

## NOTICE TO BORROWERS

Be advised that by signing this document you understand that any documents and information you submit to your servicer in connection with the Making Home Affordable Program are under penalty of perjury. Any misstatement of material fact made in the completion of these documents including but not limited to misstatement regarding your occupancy in your home, hardship circumstances, and/or income, expenses, or assets will subject you to potential criminal investigation and prosecution for the following crimes: perjury, false statements, mail fraud, and wire fraud. The information contained in these documents is subject to examination and verification. Any potential misrepresentation will be referred to the appropriate law enforcement authority for investigation and prosecution. By signing this document you certify, represent and agree that:

"Under penalty of perjury, all documents and information I have provided to Lender in connection with the Making Home Affordable Program, including the documents and information regarding my eligibility for the program, are true and correct."

If you are aware of fraud, waste, abuse, mismanagement or misrepresentations affiliated with the Troubled Asset Relief Program, please contact the SIGTARP Hotline by calling 1-877-SIG-2009 (toll-free), 202-622-4559 (fax), or [www.sigtarp.gov](http://www.sigtarp.gov). Mail can be sent to Hotline Office of the Special Inspector General for Troubled Asset Relief Program, 1801 L St. NW, Washington, DC 20220.



# Short Form Request for Individual Tax Return Transcript

OMB No. 1545-2154

Department of the Treasury  
Internal Revenue Service

► Request may not be processed if the form is incomplete or illegible.

Tip: Use Form 4506T-EZ to order a 1040 series tax return transcript free of charge.

|   |  |
|---|--|
| 1a Name shown on tax return. If a joint return, enter the name shown first.   | 1b First social security number on tax return        |
| 2a If a joint return, enter spouse's name shown on tax return.  | 2b Second social security number if joint tax return |
| 3 Current name, address (including apt., room, or suite no.), city, state, and ZIP code   |  |
| 4 Previous address shown on the last return filed if different from line 3  |  |
| 5 If the transcript is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number. The IRS has no control over what the third party does with the tax information. |  |
| Third party name  | Telephone number                                     |
| Address (including apt., room, or suite no.), city, state, and ZIP code   |  |
| 6 Year(s) requested. Enter the year(s) of the return transcript you are requesting (for example, "2008"). Most requests will be processed within 10 business days.  |  |

**Caution.** If the transcript is being mailed to a third party, ensure that you have filled in line 6 before signing. Sign and date the form once you have filled in line 6. Completing these steps helps to protect your privacy.

**Note.** If the IRS is unable to locate a return that matches the taxpayer identity information provided above, or if IRS records indicate that the return has not been filed, the IRS may notify you or the third party that it was unable to locate a return, or that a return was not filed, whichever is applicable.

Signature of taxpayer(s) I declare that I am either the taxpayer whose name is shown on line 1a or 2a. If the request applies to a joint return, either husband or wife must sign.

**Note.** This form must be received within 60 days of signature date.

|              |                              |      |  |
|--------------|------------------------------|------|--|
| Sign<br>Here | Signature (see instructions) | Date | Telephone number of<br>taxpayer on line 1a or 2a |
|              | Spouse's signature           | Date |  |

Purpose of form. Individuals can use Form 4506T-EZ to request a tax return transcript that includes most lines of the original tax return. The tax return transcript will not show payments, penalty assessments, or adjustments made to the originally filed return. You can also designate a third party (such as a mortgage company) to receive a transcript on line 5. Form 4506T-EZ cannot be used by taxpayers who file Form 1040 based on a fiscal tax year (that is, a tax year beginning in one calendar year and ending in the following year). Taxpayers using a fiscal tax year must file Form 4506-T, Request for Transcript of Tax Return, to request a return transcript.

Use Form 4506-T to request the following.

- A transcript of a business return (including estate and trust returns).
- An account transcript (contains information on the financial status of the account, such as payments made on the account, penalty assessments, and adjustments made by you or the IRS after the return was filed).
- A record of account, which is a combination of line item information and later adjustments to the account.
- A verification of nonfiling, which is proof from the IRS that you did not file a return for the year.
- A Form W-2, Form 1099 series, Form 1098 series, or Form 5498 series transcript.

Form 4506-T can also be used for requesting tax return transcripts.

**Automated transcript request.** You can call 1-800-829-1040 to order a tax return transcript through the automated self-help system. You cannot have a transcript sent to a third party through the automated system.

**Where to file.** Mail or fax Form 4506T-EZ to the address below for the state you lived in when that return was filed.

If you are requesting more than one transcript or other product and the chart below shows two different RAIVS teams, send your request to the team based on the address of your most recent return.

## Where to mail . . .

| If you filed an individual return and lived in:  | Mail or fax to the "Internal Revenue Service" at:                               |
|--|---|
| Alabama, Delaware, Florida, Georgia, North Carolina, Rhode Island, South Carolina, Virginia  | RAIVS Team<br>P.O. Box 47-421<br>Stop 91<br>Doraville, GA 30362<br>770-455-2335 |
| Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, or A.P.O. or F.P.O. address   | RAIVS Team<br>Stop 6716 AUSC<br>Austin, TX 73301<br>512-460-2272                |
| Alaska, Arizona, California, Colorado, District of Columbia, Hawaii, Idaho, Iowa, Kansas, Maine, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Mexico, New York, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming | RAIVS Team<br>Stop 37106<br>Fresno, CA 93888<br>559-456-5876                    |
| Arkansas, Connecticut, Illinois, Indiana, Michigan, Missouri, New Jersey, Ohio, Pennsylvania, West Virginia  | RAIVS Team<br>Stop 6705-B41<br>Kansas City, MO 64999<br>816-292-6102            |

**Signature and date.** Form 4506T-EZ must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the information be sent to a third party, the IRS must receive Form 4506T-EZ within 60 days of the date signed by the taxpayer or it will be rejected.

Transcripts of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506T-EZ exactly as your name appeared on the original return. If you changed your name, also sign your current name.

**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to establish your right to gain access to the requested tax information under the Internal Revenue Code. We need this information to properly identify the tax information and respond to your request. Sections 6103 and 6109 require you to provide this information, including your SSN. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, and the District of Columbia for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506T-EZ will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form, 9 min.; Preparing the form, 18 min.; and Copying, assembling, and sending the form to the IRS, 20 min.**

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506T-EZ simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the form to this address. Instead, see *Where to file* on this page.



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**Carl L. Bokofsky****STANDING CHAPTER 13 TRUSTEE - FLINT**

400 N. Saginaw St. Ste 331

Flint, Michigan 48502

Phone: (810) 238-4675 Fax: (810) 238-4712

[www.flint13.com](http://www.flint13.com)**Completion of your Chapter Plan**

Congratulations on the completion of your Chapter 13 Plan. At this point you are financially completed from making any further payments to the Chapter 13 Trustee. You are still legally protected and bound by the Chapter 13 during this transition from completion to Discharge.

Your case has been coded to reject any further payments that may be received from your employer. If any additional payroll deductions are received they will be posted to your case and refunded back to you the same day they are received until the employer stops taking these deductions from your check. The average employer takes about 4 - 6 weeks to stop a deduction. If they continue to take the funds from your payroll check longer than this, please contact our office.

The final disbursement to your creditors and any excess balance on hand will be distributed at the beginning of the next month. If there is any excess balance on hand it will be sent to you on the 21st of the month following your completion.

Once the final disbursement has been completed a Notice of Final Cure and Trustee's Notice of Completion will be sent to yourself, your attorney and all your creditors. This Notice of Final Cure gives your creditors 21 days to object to you getting your Discharge. If an objection is filed, the U.S. Bankruptcy Court will set a hearing date. Your attorney will advise you if it is necessary for you to attend. If none of your creditors file an Objection to the Notice of Final Cure, the U.S. Bankruptcy Court will automatically issue your Discharge and mail it to yourself, your attorney and all your creditors. In other words, if you have received this notice you can anticipate your Discharge in approximately 60 days.

Be mindful that while you have completed your Chapter 13 payments, you are still legally protected by the bankruptcy stay until you receive your Discharge. This means that you are not allowed to buy or sell any assets until you receive your Discharge. Most creditors wait until they have received your Discharge before they release any liens on items that may have been paid in full through your Chapter 13 Plan.

To start you on your financial journey post bankruptcy, our office will forward a copy of your Discharge to Experian, TransUnion and Equifax. If you are interested in learning more, we do offer Debtor Education Classes that cover such topics as How to Re-Establish and Improve your Credit, and Budgeting, Financial Planning and Savings Strategies. Please visit our websites at [www.flint13.com](http://www.flint13.com) <<http://www.flint13.com>> for upcoming dates and times.