

**Fill in this information to identify your case:**

Debtor 1 \_\_\_\_\_  
 First Name Middle Name Last Name

Debtor 2 \_\_\_\_\_  
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_  
 (State)

Case number \_\_\_\_\_  
 (If known)

Check if this is an amended plan, and list below the sections of the plan that have been changed.

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

**Official Form 113**  
**Chapter 13 Plan**

12/17

**Part 1: Notices**

**To Debtors:** This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.

*In the following notice to creditors, you must check each box that applies.*

**To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.

The following matters may be of particular importance. **Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 8	<input type="checkbox"/> Included	<input type="checkbox"/> Not included

**Part 2: Plan Payments and Length of Plan**

**2.1 Debtor(s) will make regular payments to the trustee as follows:**

\$ \_\_\_\_\_ per \_\_\_\_\_ for \_\_\_\_\_ months

[and \$ \_\_\_\_\_ per \_\_\_\_\_ for \_\_\_\_\_ months.] *Insert additional lines if needed.*

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

**2.2 Regular payments to the trustee will be made from future income in the following manner:**

Check all that apply.

- Debtor(s) will make payments pursuant to a payroll deduction order.
- Debtor(s) will make payments directly to the trustee.
- Other (specify method of payment): \_\_\_\_\_.

**2.3 Income tax refunds.**

Check one.

- Debtor(s) will retain any income tax refunds received during the plan term.
- Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.
- Debtor(s) will treat income tax refunds as follows:  
\_\_\_\_\_  
\_\_\_\_\_

**2.4 Additional payments.**

Check one.

- None.** If "None" is checked, the rest of § 2.4 need not be completed or reproduced.
- Debtor(s) will make additional payment(s) to the trustee from other sources, as specified below. Describe the source, estimated amount, and date of each anticipated payment.  
\_\_\_\_\_  
\_\_\_\_\_

**2.5 The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.4 is \$ \_\_\_\_\_.**

**Part 3: Treatment of Secured Claims**

**3.1 Maintenance of payments and cure of default, if any.**

Check one.

- None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Collateral	Current installment payment (including escrow )	Amount of arrearage (if any)	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by trustee
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____ %	\$ _____	\$ _____
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____ %	\$ _____	\$ _____

Insert additional claims as needed.

**3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.**

**None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

*The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.*

The debtor(s) request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor(s) state that the value of the secured claim should be as set out in the column headed *Amount of secured claim*. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this plan. Unless otherwise ordered by the court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien on the property interest of the debtor(s) or the estate(s) until the earlier of:

- (a) payment of the underlying debt determined under nonbankruptcy law, or
- (b) discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of creditor	Estimated amount of creditor's total claim	Collateral	Value of collateral	Amount of claims senior to creditor's claim	Amount of secured claim	Interest rate	Monthly payment to creditor	Estimated total of monthly payments
_____	\$ _____	_____	\$ _____	\$ _____	\$ _____	____%	\$ _____	\$ _____
_____	\$ _____	_____	\$ _____	\$ _____	\$ _____	____%	\$ _____	\$ _____

*Insert additional claims as needed.*

**3.3 Secured claims excluded from 11 U.S.C. § 506.**

Check one.

**None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.

The claims listed below were either:

- (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or
- (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Unless otherwise ordered by the court, the claim amount stated on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) controls over any contrary amount listed below. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Collateral	Amount of claim	Interest rate	Monthly plan payment	Estimated total payments by trustee
_____	_____	\$ _____	____%	\$ _____	\$ _____
				Disbursed by:	
				<input type="checkbox"/> Trustee	
				<input type="checkbox"/> Debtor(s)	
_____	_____	\$ _____	____%	\$ _____	\$ _____
				Disbursed by:	
				<input type="checkbox"/> Trustee	
				<input type="checkbox"/> Debtor(s)	

*Insert additional claims as needed.*

**3.4 Lien avoidance.**

Check one.

**None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

**The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.**

The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U.S.C. § 522(b). Unless otherwise ordered by the court, a judicial lien or security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the order confirming the plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5 to the extent allowed. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan. See 11 U.S.C. § 522(f) and Bankruptcy Rule 4003(d). *If more than one lien is to be avoided, provide the information separately for each lien.*

Information regarding judicial lien or security interest	Calculation of lien avoidance	Treatment of remaining secured claim
<b>Name of creditor</b>  _____  _____	a. Amount of lien <span style="float: right;">\$ _____</span>	<b>Amount of secured claim after avoidance</b> (line a minus line f) \$ _____
	b. Amount of all other liens <span style="float: right;">\$ _____</span>	
<b>Collateral</b>  _____  _____	c. Value of claimed exemptions <span style="float: right;">+ \$ _____</span>	<b>Interest rate</b> (if applicable)  _____ %
	d. Total of adding lines a, b, and c <span style="float: right;">\$ _____</span>	
<b>Lien identification</b> (such as judgment date, date of lien recording, book and page number)  _____  _____	e. Value of debtor(s)' interest in property <span style="float: right;">- \$ _____</span>	<b>Monthly payment on secured claim</b> \$ _____
	f. Subtract line e from line d. <span style="float: right;">\$ _____</span>	
Extent of exemption impairment (Check applicable box): <input type="checkbox"/> <b>Line f is equal to or greater than line a.</b>  The entire lien is avoided. (Do not complete the next column.) <input type="checkbox"/> <b>Line f is less than line a.</b>  A portion of the lien is avoided. (Complete the next column.)		<b>Estimated total payments on secured claim</b> \$ _____

*Insert additional claims as needed.*

**3.5 Surrender of collateral.**

Check one.

**None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

The debtor(s) elect to surrender to each creditor listed below the collateral that secures the creditor's claim. The debtor(s) request that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 5 below.

Name of creditor	Collateral
_____	_____
_____	_____

*Insert additional claims as needed.*

**Part 4:** Treatment of Fees and Priority Claims

**4.1 General**

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

**4.2 Trustee's fees**

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be \_\_\_\_\_% of plan payments; and during the plan term, they are estimated to total \$\_\_\_\_\_.

**4.3 Attorney's fees**

The balance of the fees owed to the attorney for the debtor(s) is estimated to be \$\_\_\_\_\_.

**4.4 Priority claims other than attorney's fees and those treated in § 4.5.**

Check one.

- None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.
- The debtor(s) estimate the total amount of other priority claims to be \_\_\_\_\_.

**4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.**

Check one.

- None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.
- The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4). *This plan provision requires that payments in § 2.1 be for a term of 60 months; see 11 U.S.C. § 1322(a)(4).*

Name of creditor	Amount of claim to be paid
_____	\$ _____
_____	\$ _____

*Insert additional claims as needed.*

**Part 5:** Treatment of Nonpriority Unsecured Claims

**5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

- The sum of \$\_\_\_\_\_.
- \_\_\_\_\_% of the total amount of these claims, an estimated payment of \$\_\_\_\_\_.
- The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$\_\_\_\_\_. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

**5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.**

- None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.
- The debtor(s) will maintain the contractual installment payments and cure any default in payments on the unsecured claims listed below on which the last payment is due after the final plan payment. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. The claim for the arrearage amount will be paid in full as specified below and disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Current installment payment	Amount of arrearage to be paid	Estimated total payments by trustee
_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	\$ _____
_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	\$ _____

*Insert additional claims as needed.*

**5.3 Other separately classified nonpriority unsecured claims. Check one.**

- None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.
- The nonpriority unsecured allowed claims listed below are separately classified and will be treated as follows

Name of creditor	Basis for separate classification and treatment	Amount to be paid on the claim	Interest rate (if applicable)	Estimated total amount of payments
_____	_____	\$ _____	_____%	\$ _____
_____	_____	\$ _____	_____%	\$ _____

*Insert additional claims as needed.*

**Part 6: Executory Contracts and Unexpired Leases**

**6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.**

- None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.
- Assumed items.** Current installment payments will be disbursed either by the trustee or directly by the debtor(s), as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Description of leased property or executory contract	Current installment payment	Amount of arrearage to be paid	Treatment of arrearage (Refer to other plan section if applicable)	Estimated total payments by trustee
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____	\$ _____
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____	\$ _____

Insert additional contracts or leases as needed.

**Part 7:** Vesting of Property of the Estate

**7.1 Property of the estate will vest in the debtor(s) upon**

Check the applicable box:

- plan confirmation.
- entry of discharge.
- other: \_\_\_\_\_.

**Part 8:** Nonstandard Plan Provisions

**8.1 Check "None" or List Nonstandard Plan Provisions**

**None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box "Included" in § 1.3.

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**Part 9:** Signature(s):

**9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

*If the Debtor(s) do not have an attorney, the Debtor(s) must sign below; otherwise the Debtor(s) signatures are optional. The attorney for the Debtor(s), if any, must sign below.*

**x** \_\_\_\_\_  
Signature of Debtor 1

**x** \_\_\_\_\_  
Signature of Debtor 2

Executed on \_\_\_\_\_  
MM / DD / YYYY

Executed on \_\_\_\_\_  
MM / DD / YYYY

**x** \_\_\_\_\_  
Signature of Attorney for Debtor(s)

Date \_\_\_\_\_  
MM / DD / YYYY

**By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Official Form 113, other than any nonstandard provisions included in Part 8.**



# Exhibit: Total Amount of Estimated Trustee Payments

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The following are the estimated payments that the plan requires the trustee to disburse. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.

- a. **Maintenance and cure payments on secured claims** *(Part 3, Section 3.1 total)* \$ \_\_\_\_\_
- b. **Modified secured claims** *(Part 3, Section 3.2 total)* \$ \_\_\_\_\_
- c. **Secured claims excluded from 11 U.S.C. § 506** *(Part 3, Section 3.3 total)* \$ \_\_\_\_\_
- d. **Judicial liens or security interests partially avoided** *(Part 3, Section 3.4 total)* \$ \_\_\_\_\_
- e. **Fees and priority claims** *(Part 4 total)* \$ \_\_\_\_\_
- f. **Nonpriority unsecured claims** *(Part 5, Section 5.1, highest stated amount)* \$ \_\_\_\_\_
- g. **Maintenance and cure payments on unsecured claims** *(Part 5, Section 5.2 total)* \$ \_\_\_\_\_
- h. **Separately classified unsecured claims** *(Part 5, Section 5.3 total)* \$ \_\_\_\_\_
- i. **Trustee payments on executory contracts and unexpired leases** *(Part 6, Section 6.1 total)* \$ \_\_\_\_\_
- j. **Nonstandard payments** *(Part 8, total)* + \$ \_\_\_\_\_

**Total of lines a through j**

\$ _____
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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In Re:

██████████,

Debtor,

**NOTICE OF MOTION TO  
AVOID JUDGMENT LIEN**

Chapter 13

Bk. No.: ██████████

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PLEASE TAKE NOTICE OF THE FOLLOWING MOTION BY DEBTOR.

TIME: ██████████ **at 10:00 AM**  
or as soon thereafter as Counsel may be heard

PLACE: United States Bankruptcy Court  
U.S. Courthouse  
100 State Street  
Rochester, NY 14614

RELIEF: An Order directing that judgment liens which impair an  
exemption, be avoided under 11 USC §522

GROUND: 11 USC §522

PAPERS SUBMITTED: Application for Avoidance of Lien, a signed appraisal and  
proposed Order

PURSUANT TO FRBP 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLENN: IF YOU INTEND TO OPPOSE THE MOTION; AT A MINIMUM, YOU MUST SERVE: (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTOR AND DEBTOR'S COUNSEL; AND (B) IN A CHAPTER 11 CASE, THE CREDITORS COMMITTEE AND ITS ATTORNEY, OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THE MOTION *NOT WITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS* TO FRBP 9006 (a). IN THE EVENT THAT NO WRITTEN OPPOSITION IS SERVED AND

FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION UNOPPOSED.

DATED:

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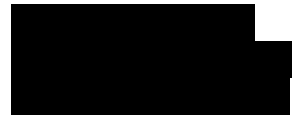
Zachary J. Pike, Esq.  
Legal Aid Society of Rochester, Inc.  
Attorney for Debtor  
1 West Main Street, Suite 800  
Rochester, NY 14614  
(585) 295-5784

TO:

Hon. Paul R. Warren  
100 State Street  
Rochester, NY 14614

George M. Reiber, Esq.  
3136 S. Winton Road  
Ste. 206  
Rochester, NY 14623

United States Trustee  
100 State Street  
Rm. 609  
Rochester, NY 14614



Arrow Financial Solutions  
PO Box 469005  
Chicago, IL 60646-9005

Midland Funding, LLC  
8875 Aero Drive, Suite 200  
San Diego, CA 92123-0000

Portfolio Recovery Associates  
140 Corporate Blvd  
Norfolk, VA 23502-0000

LVNV Funding LLC  
c/o Resurgent Capital Services  
P O Box 10675  
Greenville, SC 29603-0675

Bryan Faliero, CEO  
Resurgent Capital Services  
55 Beattie Pl Ste 110  
Greenville, SC 29601-5115

Steven D. Fredrickson, CEO  
Portfolio Recovery Associates  
140 Corporate Blvd  
Norfolk, VA 23502-0000

Brandon Black, CEO  
Midland Funding, LLC  
8875 Aero Drive, Suite 200  
San Diego, CA 92123-0000

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

In Re:

████████████████████,

Debtor,

**AFFIDAVIT**

Chapter 13

Bk. No.: ██████████

STATE OF NEW YORK     )  
COUNTY OF MONROE    )SS.:  
CITY OF ROCHESTER     )

Zachary J. Pike, Esq., being duly sworn, deposes and says:

1. That he is an attorney-at-law duly licensed to practice before this Court, and that his office is located at One West Main Street, Suite 800 Rochester, NY 14619.

2. That this case was commenced on ██████████ by filing a voluntary petition for relief under Chapter 13 of Title 11 of the U.S. Code.

3. This motion is filed by the Debtor under 11 USC §522 to avoid one (1) judgment liens against real estate located at ██████████ (Deed filed ██████████ at Liber ██████████ of Deeds at page ██████████ at Monroe County Clerk's Office, See Exhibit A).

4. That the home has been claimed exempt in the amount of \$100.00 pursuant to 11 U.S.C §522(d)(1).

5. That the following list constitutes all judgments entered against said Debtor's home:

<u>Creditor</u>	<u>Dated Filed</u>	<u>Original Amount</u>
Arrow Financial Services	██████████	\$1,552.65
Arrow Financial Services	██████████	\$1,672.00
Midland Funding, LLC	██████████	\$781.01
Portfolio Recovery Associates, LLC	██████████	\$1,670.77

6. That the Debtor, ██████████, is the owner of the home (See Exhibit A, Deed). The Mortgage was recorded on ██████████ in Liber ██████████ of Mortgages at Page ██████████ in the Monroe County Clerk's Office.

7. The value of the property is \$77,000. (See Comparative Market Analysis Summary

attached as Exhibit B).

8. That the Debtor owes approximately \$53,098.36 in total real property tax lines. This does not include \$7,167.49 claimed by Cheswold (TL), LLC that is subject to an objection to claim. (See exhibits C through G)

9. That the current balance owing on the mortgage debt is as follows: \$44,174.44. (See Exhibit H).

10. That the Debtor interest in the home does not exceed in value that allowed by Statute, calculated in the following manner:

Value of the home	\$77,000
Balance owed on the mortgage	\$44,174.44
Balance owed on Tax Liens	\$53,098.36
Equity	-\$20,272.80
Exemption	\$100.00
Balance	-\$20,272.80

11. That the existences of the Respondent's liens on the Debtor's home impair the exemption allowed by Statue.

WHEREFORE, Debtor requests judgment 1) for avoidance of the judgment liens against Debtor's home, and 2) for such other and further relief as this Court may deem just and proper.

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

\_\_\_\_\_  
Zachary J. Pike, Esq.  
Legal Aid Society of Rochester, Inc.  
Attorney for Debtor  
1 West Main Street, Suite 800  
Rochester, NY 14614  
(585) 295-5784

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

In Re:

Chapter 13

████████████████████,

Bk. No.: ██████████

Debtor,

**ORDER AVOIDING JUDGMENT LIENS**

At the United States Bankruptcy Court, in said District on ██████████, the Notice of Motion filed herein, seeking an order directing that the following judgment liens against real estate located at ██████████ be avoided as they impair the exemption under 11 USC 522, having come on regularly to be heard, and Emmett Lee Peters, appearing by Zachary J. Pike, Esq., and the above named defendant not appearing, the Court having considered the said application, it is:

ORDERED that the following judgment lien against real estate located at ██████████ (Tax Account No.: ██████████), more formally known as:

ALL THAT TRACT OR PARCEL OF LAND, situate in the ██████████

Said lot No. ██████████

<u>Creditor</u>	<u>Dated Filed</u>	<u>Original Amount</u>
Arrow Financial Services		\$1,552.68
Arrow Financial Services		\$1,672.00
Midland Funding, LLC		\$781.01
Portfolio Recovery Associates, LLC		\$1,670.77

ORDERED, that any claim of said creditors filed in connection with the Debtor's Chapter 13 Case shall be treated as a general unsecured claim if it is allowed by the Court.

This Order is subject to the provisions of 11 USC 349(b)(1) which statute automatically reinstates the above lien if the Debtor's case is dismissed without the Court having ordered a different result.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Hon. Paul R. Warren  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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██████████

Debtor(s)

Chapter 13

Bk. No.: ██████████

NOTICE OF MOTION FOR  
DETERMINATION OF SECURED  
STATUS

PLEASE TAKE NOTICE OF THE FOLLOING MOTION BY DEBTOR.

TIME: ██████████ at 10:00 A.M.  
or as soon thereafter as Counsel may be heard

PLACE: United States Bankruptcy Court  
U.S. Courthouse  
100 State Street  
Rochester, NY 14614

RELIEF: An Order directing that the Plaintiff's mortgage be voided  
and that any claims of the Defendant be treated as general  
under secured debt under 11 USC §506(a)

GROUND(S): 11 USC §506(a)

PAPERS SUBMITTED: Application for determination of secured status, a signed  
appraisal and proposed Order

PURSUANT TO FRBP 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLENN; IF YOU INTEND TO OPPOSE THE MOTION; AT A MINIMUM, YOU MUST SERVE: (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTOR AND DEBTOR'S COUNSEL; (B) IN A CHAPTER 11 CASE, THE CREDITORS' COMMITTEE AND ITS ATTORNEY. OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION *NOT WITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS TO FRBP 9006 (a)*. IN THE EVENT THAT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION UNOPPOSED.



DATED:

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Zachary J. Pike, Esq.  
Legal Aid Society of Rochester, Inc.  
Attorney for Debtor  
1 West Main Street, Suite 800  
Rochester, NY 14614  
(585) 295-5784

TO:

Hon. Paul R. Warren  
US Bankruptcy Judge  
100 State Street  
Rochester, NY 14614

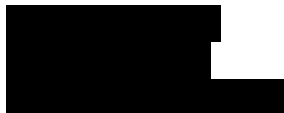
HSBC Mortgage Corp. USA  
2929 Walden Ave  
Depew, NY 14043

HSBC  
CML Customer Resolution Department  
1421 W. Shure Drive  
Arlington Heights, Illinois 60004

Mark Steffensen  
Senior Executive Vice President and General Counsel  
HSBC BANK USA  
452 Fifth Avenue  
New York, NY 10018

Household Finance Realty Corporation of New York  
577 Lamont Rd  
Elmhurst, IL 60216

George M. Reiber, Esq.  
Chapter 13 Trustee  
3136 S. Winton Rd, Suite 206  
Rochester, NY 14623



UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In Re:

██████████

Chapter 13

Bk. No.: ██████████

AFFIDAVIT

Debtor(s)

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STATE OF NEW YORK)  
COUNTY OF MONROE)

Zachary J. Pike, Esq., being duly sworn, deposes and says:

1. That he is an attorney at law duly licensed to practice before this Court and that his office is located at 1 West Main Street, Suite 800, Rochester, New York.

2. That this case was commenced by the Debtor(s) on ██████████ by filing a voluntary petition for relief under Chapter 13 of Title 11 of the U.S. Code.

3. This motion is filed by the Debtor under U.S. C. Sections 506(a) & (d) to determine the status of the claim of HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp. of New York.

4. That debtor owns the property located at ██████████  
██████████. (See exhibit A)

5. The value of the property at ██████████, is  
\$126,000. (See exhibit B)

6. The property is encumbered by two mortgages. The first mortgage is now held

by the Bank of New York Mellon, et. al., who have filed a claim for \$130,961.17 See exhibits C and D) There is a second mortgage held by HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp., of New York, who have not filed a claim in the amount of \$26,000.00. (See exhibits E)

7. The mortgage held by HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp., of New York was originated by Countrywide Home Loans Inc. It was assigned to Household Finance Realty Corp. of New York on [REDACTED]. (See Exhibit F)

8. Household Finance Realty Corp. of New York is a subsidiary of HSBC Mortgage Corp. USA. (See exhibit G). As documented on the assignment, the assignment was to be recorded and returned to HSBC at the same address that was given for Household Finance Realty Corporation. Upon information and belief, the last mortgage statements received by the debtor for the mortgage in question were from HSBC.

9. The property is not encumbered by any judgments.

10. The value of the home is \$126,000. The balance of the 1<sup>st</sup> mortgage with The Bank of New York Mellon, et. al. is \$130,961.17. Therefore, the 2<sup>nd</sup> mortgage of HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp. of New York is wholly unsecured and their rights are not protected under the anti-modification exception of §1332(b)(2). The mortgage with HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp. of New York should be avoided pursuant to §506(d).

**WHEREFORE**, Debtor prays that their Motion for Determination of Secured Status be granted as follows:

1. The mortgage with HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp. of New York be voided pursuant to § 506(d);
2. Any further relief that the Court believes is just and proper.

Dated:

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Zachary J. Pike, Esq.  
The Legal Aid Society of Rochester  
1 West Main Street, Suite 800  
Rochester, NY 14614  
(585) 295-5784

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In Re:

██████████

Chapter 13

Bk. No.: 1 ██████████

Debtor(s)

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STATE OF NEW YORK)

COUNTY OF MONROE)

ORDER DETERMINING SECURED STATUS OF HSBC MORTGAGE CORP. USA ON BEHALF OF  
HOUSEHOLD FINANCE REALTY CORP. OF NEW YORK

At the United States Bankruptcy Court, in said district on ██████████ the Notice of Motion filed herein, seeking an Order determining the secured status of mortgages, judgments and claims relating to the property located ██████████ pursuant to 11 USC 506, having come on regularly to be heard, and Zachary J. Pike, Esq., appearing on behalf of the debtors, and opposition not appearing, the Court having considered the said application, it is:

ORDERED, under 11 USC 506(a) that the Mortgage originally of Countrywide Home Loans Inc. and subsequently assigned to Household Finance Realty Corp. of New York mortgaging the property located at ██████████ (See Exhibit A, Copy of Deed), is valued at \$0.00 as secured and \$26,000.00 as unsecured. Said mortgage is as follows:

<u>Mortgagee</u>	<u>Liber/Page</u>	<u>Date Filed</u>	<u>Original Amount</u>	<u>Current Balance</u>
HSBC Mortgage Corp. USA on behalf of Household Finance Realty Corp. of New York	██████████	██████████	██████████	██████████

ORDERED, that any claims of said creditors filed in connection with the debtor's Chapter 13 case shall be treated as a general unsecured claim, if it is allowed by the Court.

This Order is subject to the provisions of 11 U.S.C. § 349(b)(1) which statute automatically reinstates the above liens if the debtors' case is dismissed without the Court having ordered a different result. Additionally, the said liens shall be reinstated upon a conversion to Chapter 7 or 11.

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Hon. Paul R. Warren  
United States Bankruptcy Judge

DATED: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

---

In Re

Chapter 13

[REDACTED]

Debtor(s)

[REDACTED]

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**EX-PARTE APPLICATION TO APPROVE LOAN MODIFICATION AGREEMENT**

STATE OF NEW YORK     )  
COUNTY OF MONROE    )SS.:  
CITY OF ROCHESTER     )

Zachary J. Pike, Esq., being duly sworn, deposes and says:

1. That he is an attorney-at-law duly licensed to practice before this Court, and that his office is located at 1 West Main Street, Suite 800 Rochester, NY 14614.

2. That his case was commenced on [REDACTED] by filing a voluntary petition for relief under Chapter 7 of Title 11 of the U.S. Code.

3. The Debtors respectfully ask for an order authorizing the debtor to enter into a loan modification agreement for the reasons set forth below.

4. The Joint-Debtor currently has a mortgage loan with Wells Fargo Financial for the Debtors' residence located at [REDACTED].

5. The principal balance on the current mortgage is \$164,011.45 with interest at the rate of 11.68% per annum. The mortgage loan provides that the Debtor make monthly principal and interest payments of \$1242.20. Taxes and insurance were not escrowed and were the responsibility of the Joint-Debtor. The maturity date for the loan is April 26, 2036.

6. The Debtor wishes to enter into a loan modification agreement attached hereto as "Exhibit A".

The term of the loan modification are as follows:

Modified Principal Balance:

\$115,000.00

Modified Mortgage Term	40 years
Interest Rate:	2% (initial interest rate. It increases to 3.0% on April 1, 2018 and 3.625% on April 1, 2019. It will remain at 3.625% for the remainder of the loan.
Forgiven Principal:	\$49,011.45
Deferred Principal Balance	\$297.46 (included in the \$115,000.00. To be paid at the end of the loan or disposition of the property)
New Mortgage Payment Start Date:	April 1, 2013
Principal and Interest Monthly Payment:	\$347.35
Projected Escrow Monthly Payment	\$608.31
New Total Monthly Mortgage Payment	\$955.66

7. The Debtors believe this loan modification is in their best interest. There are no mortgage arrears in the plan. The Joint-Debtor defaulted on the mortgage on or about November 2011. The debtors were struggling to make their monthly plan payment, and pay a mortgage that was only principal and interest of \$1242.20. They still had to pay approximately \$427.82 per month in taxes and approximately \$60.00 per month in home owner's insurance in addition to the mortgage payment. This proved to be unaffordable with the plan payment and additional unforeseen expenses, such as their son being diagnosed with juvenile diabetes. The new mortgage payment is affordable and will allow them to continue to make their plan payments.

WHEREFORE, Debtors prays that this Court grant Debtor's motion, enter an order authorizing Debtor to enter into the loan modification agreement set forth herein, and grant such other relief as this Court deems appropriate.

Dated: Rochester, New York



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Zachary J. Pike, Esq.  
The Legal Aid Society of Rochester, Inc.  
1 West Main Street, Suite 800  
Rochester, New York 14614  
(585) 295-5784

To:

George M. Reiber, Esq.  
Chapter 13 Trustee  
3136 S. Winton Rd., Suite 206  
Rochester, NY 14623

Wells Fargo Financial  
Attn: Brian Sills  
1000 Blue Gentian Road, Suite 300  
MAC X9999-01N  
Eagan, MN 55121

Office of the U.S. Trustee  
100 State Street, Room 6090  
Rochester, NY 14614





UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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Chapter 13  
Case No. [REDACTED]

In re [REDACTED]

Debtor(s)

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**OBJECTION TO CLAIM**

The Debtor hereby objects to the Proof of Claim in the amount of the \$29,009.87 filed by Cheswold (TL), LLC (hereafter “creditor) in the above-referenced bankruptcy case. In support of said objections, the Debtor asserts the following reasons:

Statement of Facts

1. The claim at issue is a real property tax lien originally levied by the City of Rochester.
2. The claim was originally acquired by the creditor from American Tax Funding, LLC who purchased the real property tax lien from the City of Rochester.
3. The claim lists the following amounts:
  - a. Principal Balance: \$10,902.25
  - b. Interest Due \$10,940.12
  - c. Fees, Costs, due: \$7,167.49
4. Page 5 of the claim is a Cheswold (TL), LLC Rochester Tax Lien Payoff Quote that lists the fees of \$7,167.49 in the tax year of 2012 and states that the taxes were acquired on February 15, 2013.
5. There is no further documentation in the claim as to what comprises the \$7,167.49 of fees.

6. When additional information regarding the fees was requested by Mr. Peter's attorney, he was informed that the fees were for previous legal fees of the assignor and that there was no further information.

First Objection

7. The debtor objects to the claim in that there is no proof or documentation offered for the \$7,167.49. The debtor and the Court have nothing to rely on to believe that these fees transpired, what they were for, or if they are reasonable.

8. Without any proof or documentation the Court cannot allow the fees to remain part of the claim.

Second Objection

9. \$7,167.49 is a substantial amount, for any fees, including legal fees. Even if the reason for some of these fees are valid, the amount of the fees would still need to be proved as reasonable.

10. If the fees were not reasonable, they should be disallowed from the claim.

WHEREFORE, Debtor requests 1) the Court bar the claim of Cheswold (TL), LLC or 2) reduce the claim by the \$7,167.48 of fees so that the claim of Cheswold (TL) LLC is a total of \$21,842.38; and for such other and further relief as this Court may deem just and proper.

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

\_\_\_\_\_

**Zachary J. Pike, Esq.**  
**Attorney for Debtor**  
**1 W. Main Street, Suite 800**  
**Rochester, NY 14614**  
**(585) 295-5784**

**Fill in this information to identify the case:**

Debtor 1 \_\_\_\_\_

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: \_\_\_\_\_ District of \_\_\_\_\_

Case number \_\_\_\_\_

# Official Form 410

## Proof of Claim

04/19

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.**

**Part 1:** Identify the Claim

**1. Who is the current creditor?**

\_\_\_\_\_  
Name of the current creditor (the person or entity to be paid for this claim)

\_\_\_\_\_  
Other names the creditor used with the debtor

**2. Has this claim been acquired from someone else?**

No

Yes. From whom? \_\_\_\_\_

**3. Where should notices and payments to the creditor be sent?**

Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g) Name _____ Number _____ Street _____ City _____ State _____ ZIP Code _____ Contact phone _____ Contact email _____ Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	Name _____ Number _____ Street _____ City _____ State _____ ZIP Code _____ Contact phone _____ Contact email _____

**4. Does this claim amend one already filed?**

No

Yes. Claim number on court claims registry (if known) \_\_\_\_\_ Filed on \_\_\_\_\_  
MM / DD / YYYY

**5. Do you know if anyone else has filed a proof of claim for this claim?**

No

Yes. Who made the earlier filing? \_\_\_\_\_

**Part 2:** Give Information About the Claim as of the Date the Case Was Filed

6. **Do you have any number you use to identify the debtor?**  No  
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_ \_

7. **How much is the claim?** \$\_\_\_\_\_. **Does this amount include interest or other charges?**  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. **What is the basis of the claim?** Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.

\_\_\_\_\_

9. **Is all or part of the claim secured?**  No  
 Yes. The claim is secured by a lien on property.

**Nature of property:**

Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

Motor vehicle

Other. Describe: \_\_\_\_\_

**Basis for perfection:** \_\_\_\_\_

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

**Value of property:** \$\_\_\_\_\_

**Amount of the claim that is secured:** \$\_\_\_\_\_

**Amount of the claim that is unsecured:** \$\_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)

**Amount necessary to cure any default as of the date of the petition:** \$\_\_\_\_\_

**Annual Interest Rate** (when case was filed) \_\_\_\_\_%

Fixed

Variable

10. **Is this claim based on a lease?**  No  
 Yes. **Amount necessary to cure any default as of the date of the petition.** \$\_\_\_\_\_

11. **Is this claim subject to a right of setoff?**  No  
 Yes. Identify the property: \_\_\_\_\_

**12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?**

No

Yes. Check one:

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Up to \$3,025\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

Wages, salaries, or commissions (up to \$13,650\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

Other. Specify subsection of 11 U.S.C. § 507(a)(    ) that applies.

**Amount entitled to priority**

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

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

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

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

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

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

\* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

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

Executed on date \_\_\_\_\_  
MM / DD / YYYY

\_\_\_\_\_  
Signature

**Print the name of the person who is completing and signing this claim:**

Name \_\_\_\_\_  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
Number Street

City State ZIP Code

Contact phone \_\_\_\_\_ Email \_\_\_\_\_

# Mortgage Proof of Claim Attachment

(12/15)

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See separate instructions.

Part 1: Mortgage and Case Information		Part 2: Total Debt Calculation		Part 3: Arrearage as of Date of the Petition		Part 4: Monthly Mortgage Payment	
Case number:	_____	Principal balance:	_____	Principal & interest due:	_____	Principal & interest:	_____
Debtor 1:	_____	Interest due:	_____	Prepetition fees due:	_____	Monthly escrow:	_____
Debtor 2:	_____	Fees, costs due:	_____	Escrow deficiency for funds advanced:	_____	Private mortgage insurance:	_____
Last 4 digits to identify:	___ ___ ___ ___	Escrow deficiency for funds advanced:	_____	Projected escrow shortage:	_____	Total monthly payment:	<div style="border: 1px solid black; padding: 2px;">_____</div>
Creditor:	_____	Less total funds on hand: -	_____	Less funds on hand: -	_____		
Servicer:	_____	Total debt:	<div style="border: 1px solid black; padding: 2px;">_____</div>	Total prepetition arrearage:	<div style="border: 1px solid black; padding: 2px;">_____</div>		
Fixed accrual/daily simple interest/other:	_____						

## Part 5: Loan Payment History from First Date of Default

Account Activity					How Funds Were Applied/Amount Incurred							Balance After Amount Received or Incurred				
A.	B.	C.	D.	E.	F.	G.	H.	I.	J.	K.	L.	M.	N.	O.	P.	Q.
Date	Contractual payment amount	Funds received	Amount incurred	Description	Contractual due date	Prin, int & esc past due balance	Amount to principal	Amount to interest	Amount to escrow	Amount to fees or charges	Unapplied funds	Principal balance	Accrued interest balance	Escrow balance	Fees / Charges balance	Unapplied funds balance

Case number: \_\_\_\_\_

Debtor 1: \_\_\_\_\_

**Part 5 : Loan Payment History from First Date of Default**

Account Activity						How Funds Were Applied/Amount Incurred					Balance After Amount Received or Incurred					
A. Date	B. Contractual payment amount	C. Funds received	D. Amount incurred	E. Description	F. Contractual due date	G. Prin, int & esc past due balance	H. Amount to principal	I. Amount to interest	J. Amount to escrow	K. Amount to fees or charges	L. Unapplied funds	M. Principal balance	N. Accrued interest balance	O. Escrow balance	P. Fees / Charges balance	Q. Unapplied funds balance