

Notice of Mortgage Payment Change-Rule 3002.1

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI



Case Management

CM / ECF

Electronic Case Files

Notice of Mortgage Payment Change-Rule 3002.1

- Provides a process for a Chapter 13 debtor to cure a default and maintain payment on a home mortgage during the plan

Notice of Mortgage Payment Change-Rule 3002.1

- Applies to claims that are (1) secured by a security interest in the debtor's principal residence; and (2) provided for under 1322(b)(5) of the Code in the debtor's plan
- Effective: December 1, 2011

Rule 3002.1

- Creditors must file three new events as supplements to the claim:
 - Notice of Mortgage Payment Change (Form B10-Supplement-1)
 - Notice of Post-petition Mortgage Fees, Expenses, and Charges (Form B10-Supplement 2)
 - Response to Notice of Final Cure Payment
- In addition, a creditor must use the new Form B10 (Attachment A) as an attachment to their proof of claim secured by the debtor's principal residence

Rule 3002.1

- These three new events are Supplements to the Claim on the Claims Register
- The new events are not filed as attachments to the claim
- These new events are not filed as amended claims

Rule 3002.1

- All three new claim events can be found in the “Claim Actions” category

Bankruptcy Events

[Appeal](#)

[Auditor's Reports](#)

[Batch Filings](#)

[Claim Actions](#) (Go to - Reports, then Claims Register - to view claims filed)

[Court Events ...](#)

[Creditor Maintenance...](#)

[File Claims \(Go to Reports - Claims Register to view claims filed\)](#)

[Hearing Events](#)

[Motions/Applications/Requests](#)

[Multi-Case Docketing](#)

[Notices](#)

[Objection/Response...](#)

[Open New Bankruptcy Case](#)

Rule 3002.1

- The three new claim events will appear on the public docket report
- These new claim events will not have a document number
- The three new claim events can also be viewed on the claims register history

Rule 3002.1

First New Event and Form- “Notice of Mortgage Payment Change (B10-Supplement 1)”

B 10 (Supplement 1) (12/11)

UNITED STATES BANKRUPTCY COURT

_____ District of _____

In re _____,
Debtor

Case No. _____
Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: _____

Court claim no. (if known): _____

Last four digits of any number
you use to identify the debtor's
account: _____

Date of payment change:
Must be at least 21 days after date of
this notice _____/_____/_____

New total payment: \$ _____
Principal, interest, and escrow, if any

Rule 3002.1

- Creditor will notify the debtor, debtor's attorney, and the trustee of any changes in the payment amount no later than 21 days before the new payment amount is due
- The Notice of Mortgage Payment Change (B10-Supplement 1) is filed as a "supplement" to the Claim.

Rule 3002.1

- Once you click on Bankruptcy Events, select “Claim Actions”

Bankruptcy Events

[Appeal](#)

[Auditor's Reports](#)

[Batch Filings](#)

[Claim Actions](#)

[Court Events...](#)

[Creditor Maintenance...](#)

[File Claims](#)

[Hearing Events](#)

[Motions/Applications](#)

[Multi-Case Docketing](#)

[Notices](#)

[Objection/Response...](#)

[Open New Bankruptcy Case](#)

Rule 3002.1

- Next select “Notice of Mortgage Payment Change”

Available Events (click to select events)

Claims Register by Agent (ONLY use when directed by Court)
Notice Allowing Chapter 12 Claims
Notice of Mortgage Payment Change
Notice of Post-petition Mortgage Fees, Expenses, and Charges
Notice of SERVICING Change
Objection to Claim (includes 30 day notice)
Objection to Transfer or Assignment of Claim
Omnibus Objection to Claims by Trustee or DIP (includes 30 day notice)
Response to Notice of Final Cure Payment Rule 3002.1
Transfer or Assignment of Claim (no waiver)
Transfer or Assignment of Claim (with waiver)

Selected Events (click to remove events)

Notice of Mortgage Payment Change

Rule 3002.1

- As mentioned earlier...no document number is assigned to the Notice of Mortgage Payment Change

File a Claim action:

[11-61764-abf13 Brekke P.B. Waechter](#)

Date filed 

Document number assignment: no number assigned

Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

Attachments to Document: No Yes

Rule 3002.1

- You will be prompted to select the Proof of Claim that the Notice of Mortgage Payment Change relates to:

File a Claim action:

[11-61764-abf13 Brekke P.B. Waechter](#)

Select claim(s) from list

Claims Selected:

<i>Creditor name</i>	<i>Claim #</i>	<i>Amount claimed</i>	<i>Date filed</i>
Amarillo National Bank (12826)	2	\$60,000.00	11/27/2011
Ben and Jessie's Party Supplies (12824)	1	\$1,500.00	11/27/2011

Rule 3002.1

- You must indicate whether the certificate of service is attached to the Notice of Mortgage Payment Change or will be filed as a separate document

File a Claim action:

[11-61764-abf13 Brekke P.B. Waechter](#)

Is a Certificate of Service Included or Attached to the Document Being Filed?

Yes

No

Next

Clear

Rule 3002.1

- If you have included a certificate of service with your document the final text of the entry will appear as:

File a Claim action:

[11-61764-abf13 Brekke P.B. Waechter](#)

Docket Text: Final Text

Notice of Mortgage Payment Change regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next

Clear

Rule 3002.1

- If you did not include a certificate of service with the Notice of Mortgage Payment Change the screen will appear as:

File a Claim action:

[11-61764-abf13 Brekke P.B. Waechter](#)

Docket Text: Final Text

Notice of Mortgage Payment Change regarding Claim #2, **NO Certificate of Service included** filed by Amarillo National Bank. (Parle, Cecelia)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Rule 3002.1

- If you indicated that no certificate of service was included with your Notice of Mortgage Payment Change you will see this prompt:

File a Claim action:

[11-61764-abf13 Brekke P.B. Waechter](#)

**After Filing this Document,
File the Certificate of Service.**

The Event is found under the Bankruptcy - Other category.

Next

Clear

Rule 3002.1

- The Notice of Electronic Filing will appear as normal with the exception of a document number

Notice of Electronic Filing

The following transaction was received from Parle, Cecelia entered on 11/27/2011 at 3:49 PM CST and filed on 11/27/2011

Case Name: Brekke P.B. Waechter

Case Number: [11-61764-abf13](#)

Document Number: [doc](#)

Docket Text:

Notice of Mortgage Payment Change regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia)

The following document(s) are associated with this transaction:

Rule 3002.1

- The Notice of Mortgage Payment Change will appear on the Docket Report without a document number

10/03/2011	 2	Meeting of Creditors Continued . Filed by Richard V. Fink. 341(a) meeting to be held on 10/20/2011 at 10:00 AM at Springfield Courthouse. (Wexter, Susan) (Entered: 10/03/2011)
11/27/2011	 doc	Notice of Mortgage Payment Change regarding Claim #2, with Certificate of Service filed by Amarillo National Bank (Parle, Cecelia) (Entered: 11/27/2011)

Rule 3002.1

- The Notice of Mortgage Payment Change will also be displayed on the Claims Register

Western District of Missouri - Test Area Claims Register

[11-61764-abf13 Brekke P.B. Waechter](#)

Judge: Arthur B. Federman **Chapter:** 13
Office: Springfield **Last Date to file claims:** 12/12/2011
Trustee: Richard V. Fink **Last Date to file (Govt):**

Creditor: (12826)
Amarillo National Bank
P.O. Box 300
San Antonio, TX 78560

Claim No: 2
Original Filed Date: 11/27/2011
Original Entered Date: 11/27/2011

Status:
Filed by: CR
Entered by: Cecelia Parle
Modified:

Amount claimed: \$60000.00

History:

[Details](#) 2-1 11/27/2011 Claim #2 filed by Amarillo National Bank, Amount claimed: \$60000.00 (Parle, Cecelia)
[doc](#) 11/27/2011 Notice of Mortgage Payment Change regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, C

Description:

Remarks:

Rule 3002.1

- Second New Event and Form- “Notice of Post-petition Mortgage Fees, Expenses, and Charges (B 10-Supplement 2)”

B 10 (Supplement 2) (12/11)

UNITED STATES BANKRUPTCY COURT

_____ District of _____

In re _____, Case No. _____
Debtor Chapter 13

Notice of Postpetition Mortgage Fees, Expenses, and Charges

If you hold a claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any postpetition fees, expenses, and charges that you assert are recoverable against the debtor or against the debtor's principal residence. File this form as a supplement to your proof of claim. See Bankruptcy Rule 3002.1.

Name of creditor: _____ Court claim no. (if known): _____

Last four digits of any number you use to identify the debtor's account: _____

Does this notice supplement a prior notice of postpetition fees, expenses, and charges?

No

Yes. Date of the last notice: ____/____/____

Rule 3002.1

- This Notice details late charges, NSF Fees, attorney fees, court costs and inspection fees that the debtor will be responsible for on their principal residence
- Creditor shall file and serve the Debtor, Debtor's Attorney and Trustee

Rule 3002.1

- Notice shall be served within 180 days after the date on which the fees, expenses or charges are incurred
- The Notice of Post-petition Mortgage Fees, Expenses, and Charges (B10-Supplement 2) is filed as a “supplement” to the Claim.

Rule 3002.1

- To file the document select the “Claim Actions” Category
- Then choose the event “Notice of Post-petition Mortgage Fees, Expenses, and Charges

Available Events (click to select events)

Claims Register by Agent (ONLY use when directed by Court)
Notice Allowing Chapter 12 Claims
Notice of Mortgage Payment Change
Notice of Post-petition Mortgage Fees, Expenses, and Charges
Notice of SERVICING Change
Objection to Claim (includes 30 day notice)
Objection to Transfer or Assignment of Claim
Omnibus Objection to Claims by Trustee or DIP (includes 30 day notice)
Response to Notice of Final Cure Payment Rule 3002.1
Transfer or Assignment of Claim (no waiver)
Transfer or Assignment of Claim (with waiver)
Withdrawal of Assignment/Transfer of Claim
Withdrawal of Claim
Withdrawal of Objection to Claim

Next

Clear

Rule 3002.1

- Follow the remaining prompts to complete the transaction
- The Notice of Post-Petition Mortgage Fees, Expenses and Charges does not receive a document number

Notice of Electronic Filing

The following transaction was received from Parle, Cecelia entered on 11/28/2011 at 1:33 PM CST and filed on 11/28/2011

Case Name: Brekke P.B. Waechter

Case Number: [11-61764-abf13](#)

Document Number: [doc](#)

Docket Text:

Notice of Post-petition Mortgage Fees, Expenses, and Charges regarding Claim #2, with Certificate of Service filed by Amarillo National Bank.

Rule 3002.1

- Third new event required by Rule 3002.1 (to be filed if the Trustee files a “Notice of Final Cure Mortgage payment”)
- “Response to Notice of Final Cure Payment Rule 3002.1”
- To file the document select the “Claim Actions” Category

Rule 3002.1

- Next choose the event: “Response to Notice of Final Cure Payment Rule 3002.1”

File a Claim action

[11-61764-abf13 Brekke P.B. Waechter](#)

Start typing to find another event. Hold down Ctrl to add additional items.

Available Events (click to select events)

Claims Register by Agent (ONLY use when directed by Court)
Notice Allowing Chapter 12 Claims
Notice of Mortgage Payment Change
Notice of Post-petition Mortgage Fees, Expenses, and Charges
Notice of SERVICING Change
Objection to Claim (includes 30 day notice)
Objection to Transfer or Assignment of Claim
Omnibus Objection to Claims by Trustee or DIP (includes 30 day notice)
Response to Notice of Final Cure Payment Rule 3002.1
Transfer or Assignment of Claim (no waiver)
Transfer or Assignment of Claim (with waiver)
Withdrawal of Assignment/Transfer of Claim
Withdrawal of Claim
Withdrawal of Objection to Claim

Selected Events (click to remove events)

Response to Notice of Final Cure Payment Rule 3002.1

Next

Clear

Rule 3002.1

- Follow the remaining prompts to complete the transaction
- The Response to Notice of Final Cure Payment Rule 3002.1 does not receive a document number

Notice of Electronic Filing

The following transaction was received from Parle, Cecelia entered on 11/28/2011 at 2:18 PM CST and filed on 11/28/2011

Case Name: Brekke P.B. Waechter

Case Number: [11-61764-abf13](#)

Document Number:

Docket Text:

Response to Notice of Final Cure Payment Rule 3002.1 regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia)

Rule 3002.1

- All three of the new claims events will appear on the Docket Report without a document number

10/03/2011	 2	Meeting of Creditors Continued . Filed by Richard V. Fink. 341(a) meeting to be held on 10/20/2011 at 10:00 Springfield Courthouse. (Wexter, Susan) (Entered: 10/03/2011)
11/27/2011	 doc	Notice of Mortgage Payment Change regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia) (Entered: 11/27/2011)
11/27/2011	 doc	Notice of Post-petition Mortgage Fees, Expenses, and Charges regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia) (Entered: 11/27/2011)
11/27/2011	 doc	Response to Notice of Final Cure Payment Rule 3002.1 regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia) (Entered: 11/27/2011)

Rule 3002.1

- The three new claims events will also appear on the Claims Register and are located on the “History” section

Claims Register

11-61764-abf13 Brekke P.B. Waechter

Judge: Arthur B. Federman **Chapter:** 13
Office: Springfield **Last Date to file claims:** 12/12/2011
Trustee: Richard V. Fink **Last Date to file (Govt):**

Creditor: (12826)
Amarillo National Bank
P.O. Box 300
San Antonio, TX 78560

Claim No: 2
Original Filed Date: 11/27/2011
Original Entered Date: 11/27/2011

Status:
Filed by: CR
Entered by: Cecelia Parle
Modified:

Amount claimed: \$60000.00

History:

- [Details](#)  [2-1](#) 11/27/2011 Claim #2 filed by Amarillo National Bank, Amount claimed: \$60000.00 (Parle, Cecelia)
- | | |
|---------------------|---|
| doc | 11/27/2011 Notice of Mortgage Payment Change regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia) |
| doc | 11/27/2011 Notice of Post-petition Mortgage Fees, Expenses, and Charges regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia) |
| doc | 11/27/2011 Response to Notice of Final Cure Payment Rule 3002.1 regarding Claim #2, with Certificate of Service filed by Amarillo National Bank. (Parle, Cecelia) |

Description:

Rule 3002.1

- In addition to the two new supplement forms (B10-Supplement 1 and B10-Supplement 2), Rule 3002.1 requires that a new form must be used as an attachment to the proof of claim secured by the debtor's principal residence
- Form B10 (Attachment A) is filed with the proof of claim pursuant to the new Rule 3001(c)(2)

Rule 3002.1

- New Form-B10 (Attachment A)

B 10 (Attachment A) (12/11)

Mortgage Proof of Claim Attachment

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 Bankruptcy Rule 3001(c)(2).

Name of debtor: _____ Case number: _____

Name of creditor: _____ Last four digits of any number you use to identify the debtor's account: _____

Part 1: Statement of Principal and Interest Due as of the Petition Date

Itemize the principal and interest due on the claim as of the petition date (included in the Amount of Claim listed in Item 1 on your Proof of Claim form).

1. Principal due (1) \$ _____

2. Interest due

Interest rate	From mm/dd/yyyy	To mm/dd/yyyy	Amount
_____%	____/____/____	____/____/____	\$ _____
_____%	____/____/____	____/____/____	\$ _____
_____%	____/____/____	____/____/____	+ \$ _____
Total interest due as of the petition date			\$ _____

Copy total here ► (2) + \$ _____

3. Total principal and interest due (3) \$ _____

Notice of Mortgage Payment Change-Rule 3002.1

If you have questions or need assistance
please contact the Clerk's Office

(816-512-1800)